सत्यमेव जयते

INDIA NON JUDICIAL

Government of Karnataka

Rs. 100

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Certificate No.	:	**IN-KA53780976086135U**
Certificate Issued Date	:	02-Mar-2022 05:59 PM
Account Reference	:	NONACC/ kakscsa08/ VIJAYANAGAR2/ KA-BA
Unique Doc. Reference	:	SUBIN-KAKAKSCSA08425051087979 75U
Purchased by	:	MARAM SURESH GUPTA
Description of Document	:	Article 12 Bond
Description	:	ARBITRATION AWARD
Consideration Price (Rs.)	:	0 (Zero)
First Party	:	MARAM SURESH GUPTA
Second Party	:	N A
Stamp Duty Paid By	:	MARAM SURESH GUPTA
Stamp Duty Amount(Rs.)	:	100 (One Hundred only)

Karnataka State Co-Operative Societies Association (R) Branch Vijayanagar 560040

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ARBITRATION AWARD

.IN REGISTRY – NATIONAL INTERNET EXCHANGE OF INDIA [NIXI]

.IN Domain Name Dispute Resolution Policy

INDRP Rules of Procedure

Disputed Domain Name: <teva-api.in>

INDRP Case No. 1502

Before the Sole Arbitrator: Mr. Maram Suresh Gupta

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ARBITRATION AWARD

.IN REGISTRY – NATIONAL INTERNET EXCHANGE OF INDIA [NIXI]

.IN Domain Name Dispute Resolution Policy

INDRP Rules of Procedure

Disputed Domain Name: <teva-api.in>

INDRP Case No. 1502

Before the Sole Arbitrator: Mr. Maram Suresh Gupta

IN THE MATTER OF:

TEVA Pharmaceuticals Industries Limited

5 Basel Street,

Petach Tikva 49131.

Israel. **.....Complainant**

Versus

Teva API

2-G, 2-H, 2-I, Ecotech - II

Udyog Vihar

Greater Noida – 201 308

India. **.....Respondent**

1. The Parties

a) The Complainant in the present arbitration proceedings is **TEVA Pharmaceuticals Industries Limited** (hereinafter referred as ***'Complainant'***), with its office at 5 Basel Street, Petach Tikva 49131, Israel. The Complainant is represented by M/s SILKA AB, Strandvägen 7A, 114 56 Stockholm, Sweden, Phone: +46 (0) 707399221, Email: disputes@silkalaw.com.

b) The Respondent in the present arbitration proceedings is **Teva API** (hereinafter referred as ***'Respondent'***) having postal address: 2-G, 2-H, 2-I, Ecotech – II, Udyog Vihar, Greater Noida – 201 308, India, having email id as: contacttevaapi@gmail.com and sales@teva-api.in. These contact details of the Respondent were provided by NIXI

from WHOIS database and the same were also provided by the Complainant in its amended complaint dated 17th January 2022.

2. The Disputed Domain Name and The Registrar

a) The following information about the disputed domain name and the registrar is as per the information furnished by the Complainant in its complaint and supporting annexures.

b) The disputed domain name is **<teva-api.in>** which was registered on 6th July 2021 and was set to expire on 6th July 2022. Based on information from WHOIS database, the registrant client ID is T8SKP1QEJD6P5SFH and registrant ROID is D683F169BA174BDABDC311FA72C4CAA4-IN.

c) The accredited Registrar with whom the disputed domain name was registered is Namecheap, Inc, USA.

3. Procedural Timeline

a) The present arbitration proceeding is as per the .IN Domain Name Dispute Resolution Policy (the "Policy"), adopted by the National Internet Exchange of India [NIXI] and the INDRP Rules of Procedure (the "Rules"), under the Indian Arbitration and Conciliation Act, 1996. By registering the disputed domain name with a NIXI accredited Registrar, the Respondent agreed to the resolution of disputes according to the Policy and the Rules thereunder.

b) NIXI vide its email dated 8th February 2022 requested the availability of Mr. Maram Suresh Gupta to act as the Sole Arbitrator in the present matter. In return, on the same day, I have indicated my availability and accordingly submitted the fully signed Statement of Acceptance and Declaration of Impartiality and Independence, which complied with the .INDRP Rules of Procedure.

c) Pursuant to the above acceptance and declaration of the Sole Arbitrator, NIXI appointed, vide in its email dated 8th February 2022, Mr. Maram Suresh Gupta as the sole Arbitrator and the same was also intimated to both the Complainant and Respondent (hereinafter referred as *'parties'*). Following this, on the same day, 8th February 2022, a notice having directions to both the parties was issued by me. In the said notice, the Complainant was directed to furnish copies of the complaint along with supporting annexures to the Respondent both via email and courier. In addition, the Respondent was also directed to file his response to the complaint within 10 days from the date of notice. Further, the Complainant was also instructed to furnish confirmation copies of both the means of communication to the Arbitrator with a copy to NIXI.

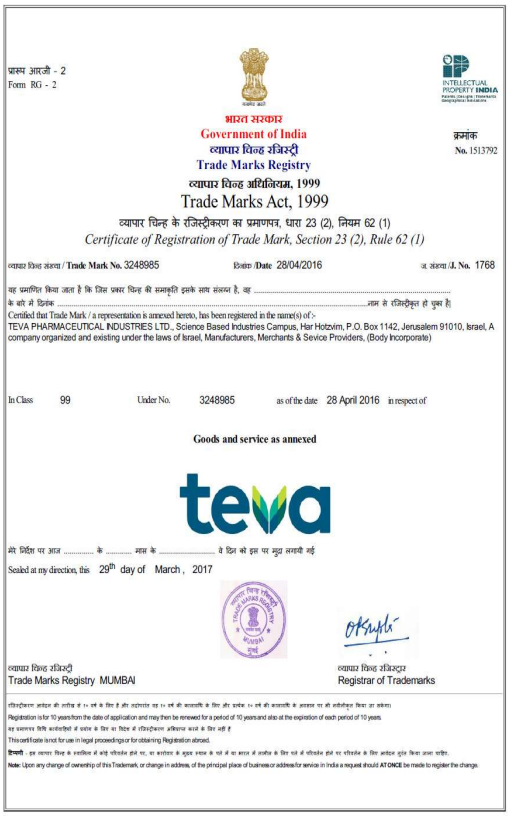
d) After my follow-up, the Complainant served copies of the Complaint and its supporting annexures via email to the Respondent. The email confirmation copies sent to the respondent were submitted to the panel by the Complainant with a copy to NIXI, dated 18th February 2022. No hard copies were served to the Respondent as the Respondent is using official address in the WHOIS of the Complainant. That means that the complaint and its annexures will be sent to the Complainant (not to the Respondent) as the Respondent has impersonated the Complainant's company details/ address, as informed by the Respondent to the panel dated 18th February 2022 and was also mentioned in the as filed Complaint. Accordingly, the panel exempted the Complainant from sending hard copies to the Respondent as it does not serve any purpose. The Respondent failed to reply within in the allotted time of 10 days. In the interest of justice, I have provided an additional time of 5 days to file a reply to the Complaint. Nonetheless, till today, the Panel has not received any reply from the Respondent. Accordingly, the present award is passed based on the merits.

4. Factual Background

The Complainant has made the following submissions in support of its complaint against the Respondent. The contentions are detailed as follows:

a) A perusal of **Annexure VI** indicates that the Complainant is one of the oldest generic pharmaceutical companies in the world and was established in 1901. It is actively involved in supplying high-quality Active Pharmaceutical Ingredients or drug substances to different customers in the world. Similarly, a perusal of **Annexure X** also indicates its 17 years of presence/ operations in India with focus on building local manufacturing and R&D capacity.

b) Primarily, the Complainant has two main domain names (a) www.tevapharm.com and (b) www.teva-api.com. Secondly, in 1975, the Complainant registered its first word mark TEVA in Israel. As regards India, the mark TEVA was registered in 2016, bearing application number **3248985,** and TEVA API registered in 2019, bearing application number **4369984** and **4369985** under different classes (see **Table 1**). Most importantly, **Annexure IV** provides registration certificates (see **Screenshot # 1** provided three certificates for reference) for the device marks of TEVA and TEVA API as per the Trademarks Act, 1999. The said mark is registered under different classes of trademarks. In addition to trademark registrations in India, the Complainant has also registered the marks in different countries such as USA, UK and the respective certifications are provided under **Annexure IV**.



प्रारूप आरजी - 2
Form RG - 2

भारत सरकार
Government of India
व्यापार चिन्ह रजिस्ट्री
Trade Marks Registry
व्यापार चिन्ह अधिनियम, 1999
Trade Marks Act, 1999
व्यापार चिन्ह के रजिस्ट्रीकरण का प्रमाणपत्र, धारा 23 (2), नियम 62 (1)
Certificate of Registration of Trade Mark, Section 23 (2), Rule 62 (1)

क्रमांक
No. 1513792

व्यापार चिन्ह संख्या / **Trade Mark No.** 3248985 दिनांक /**Date** 28/04/2016 जर्नल संख्या /**J. No.** 1768

यह प्रमाणित किया जाता है कि जिस प्रकार चिन्ह की समाकृति इसके साथ संलग्न है, वह .....
के बारे में दिनांक .....नाम से रजिस्ट्रीकृत हो चुका है।
Certified that Trade Mark / a representation is annexed hereto, has been registered in the name(s) of:-
TEVA PHARMACEUTICAL INDUSTRIES LTD., Science Based Industries Campus, Har Hotzvim, P.O. Box 1142, Jerusalem 91010, Israel, A company organized and existing under the laws of Israel, Manufacturers, Merchants & Sevice Providers, (Body Incorporate)

In Class 99 Under No. 3248985 as of the date 28 April 2016 in respect of

Goods and service as annexed

teva

मेरे निर्देश पर आज ..... के ..... मास के ..... वे दिन को इस पर मुद्रा लगायी गई
Sealed at my direction, this 29th day of March , 2017

व्यापार चिन्ह रजिस्ट्री
Trade Marks Registry MUMBAI

व्यापार चिन्ह रजिस्ट्रार
Registrar of Trademarks

रजिस्ट्रीकरण आवेदन की तारीख से 10 वर्ष के लिए है और तदोपरांत यह 10 वर्ष की अवधियों के लिए और प्रत्येक 10 वर्ष की अवधियों के अवसान पर की जाएगी।
Registration is for 10 years from the date of application and may then be renewed for a period of 10 years and also at the expiration of each period of 10 years.
यह प्रमाणपत्र विदेशी कार्यवाहियों में प्रयोग के लिए या विदेश में रजिस्ट्रीकरण अभिप्राप्त करने के लिए नहीं है
This certificate is not for use in legal proceedings or for obtaining Registration abroad.
टिप्पणी - इस व्यापार चिन्ह के स्वामित्व में कोई परिवर्तन होने पर, या कारोबार के मुख्य स्थान के पते में या कारण में तत्पश्चात के लिए पते में परिवर्तन होने पर परिवर्तन के लिए आवेदन तुरंत किया जाना चाहिए.
Note: Upon any change of ownership of this Trademark, or change in address, of the principal place of business or address for service in India a request should **AT ONCE** be made to register the change.

प्रारूप आरजी - 2
Form RG - 2

भारत सरकार
Government of India
व्यापार चिन्ह रजिस्ट्री
Trade Marks Registry
व्यापार चिन्ह अधिनियम, 1999
Trade Marks Act, 1999
व्यापार चिन्ह के रजिस्ट्रीकरण का प्रमाणपत्र, धारा 23 (2), नियम 56 (1)
Certificate of Registration of Trade Mark, Section 23 (2), Rule 56 (1)

क्रमांक
No. 2470998

व्यापार चिन्ह संख्या / **Trade Mark No.** 4369984 दिनांक /**Date** 06/12/2019 जर्नल संख्या /**J. No.** 1935

यह प्रमाणित किया जाता है कि जिस प्रकार चिन्ह की समाकृति इसके साथ संलग्न है, वह .....
के बारे में दिनांक .....नाम से रजिस्ट्रीकृत हो चुका है।
Certified that Trade Mark / a representation is annexed hereto, has been registered in the name(s) of:-
TEVA PHARMACEUTICAL INDUSTRIES LTD., Science Based Industries Campus, Har Hotzvim, P.O. Box 1142, Jerusalem 91010, Israel, A company organised under the laws of Israel, (Body Incorporate)

In Class 1 Under No. 4369984 as of the date 06 December 2019 in respect of

Bulk pharmaceutical chemicals and fine chemicals for use in the manufacture of pharmaceuticals; chemical and chemical preparations for use in the manufacture of pharmaceuticals.

Trade Mark as annexed

मेरे निर्देश पर आज ..... के ..... मास के ..... वे दिन को इस पर मुद्रा लगायी गई
Sealed at my direction, this 02nd day of September , 2020

व्यापार चिन्ह रजिस्ट्री
Trade Marks Registry MUMBAI

व्यापार चिन्ह रजिस्ट्रार
Registrar of Trademarks

रजिस्ट्रीकरण आवेदन की तारीख से 10 वर्ष के लिए है और तदोपरांत यह 10 वर्ष की अवधियों के लिए और प्रत्येक 10 वर्ष की अवधियों के अवसान पर की जाएगी।
Registration is for 10 years from the date of application and may then be renewed for a period of 10 years and also at the expiration of each period of 10 years.
यह प्रमाणपत्र विदेशी कार्यवाहियों में प्रयोग के लिए या विदेश में रजिस्ट्रीकरण अभिप्राप्त करने के लिए नहीं है
This certificate is not for use in legal proceedings or for obtaining Registration abroad.
टिप्पणी - इस व्यापार चिन्ह के स्वामित्व में कोई परिवर्तन होने पर, या कारोबार के मुख्य स्थान के पते में या कारण में तत्पश्चात के लिए पते में परिवर्तन होने पर परिवर्तन के लिए आवेदन तुरंत किया जाना चाहिए.
Note: Upon any change of ownership of this Trademark, or change in address, of the principal place of business or address for service in India a request should **AT ONCE** be made to register the change.

Annexure of Certificate No.: **2470998**
Trade Mark No. **4369984** Date **06/12/2019**

teva | api

प्रारूप आरजी - 2
Form RG - 2

भारत सरकार
Government of India
व्यापार चिन्ह रजिस्ट्री
Trade Marks Registry
व्यापार चिन्ह अधिनियम, 1999
Trade Marks Act, 1999
व्यापार चिन्ह के रजिस्ट्रीकरण का प्रमाणपत्र, धारा 23 (2), नियम 56 (1)
Certificate of Registration of Trade Mark, Section 23 (2), Rule 56 (1)

क्रमांक
No. 2472056

व्यापार चिन्ह संख्या / **Trade Mark No.** 4369985 दिनांक /**Date** 06/12/2019 जर्नल संख्या /**J. No.** 1935

यह प्रमाणित किया जाता है कि जिस प्रकार चिन्ह की समाकृति इसके साथ संलग्न है, वह .....
के बारे में दिनांक .....नाम से रजिस्ट्रीकृत हो चुका है।
Certified that Trade Mark / a representation is annexed hereto, has been registered in the name(s) of:-
TEVA PHARMACEUTICAL INDUSTRIES LTD., Science Based Industries Campus, Har Hotzvim, P.O. Box 1142, Jerusalem 91010, Israel, A company organised under the laws of Israel, (Body Incorporate)

In Class 35 Under No. 4369985 as of the date 06 December 2019 in respect of

Goods and service as annexed

Trade Mark as annexed

मेरे निर्देश पर आज ..... के ..... मास के ..... वे दिन को इस पर मुद्रा लगायी गई
Sealed at my direction, this 02nd day of September , 2020

व्यापार चिन्ह रजिस्ट्री
Trade Marks Registry MUMBAI

व्यापार चिन्ह रजिस्ट्रार
Registrar of Trademarks

रजिस्ट्रीकरण आवेदन की तारीख से 10 वर्ष के लिए है और तदोपरांत यह 10 वर्ष की अवधियों के लिए और प्रत्येक 10 वर्ष की अवधियों के अवसान पर की जाएगी।
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यह प्रमाणपत्र विदेशी कार्यवाहियों में प्रयोग के लिए या विदेश में रजिस्ट्रीकरण अभिप्राप्त करने के लिए नहीं है
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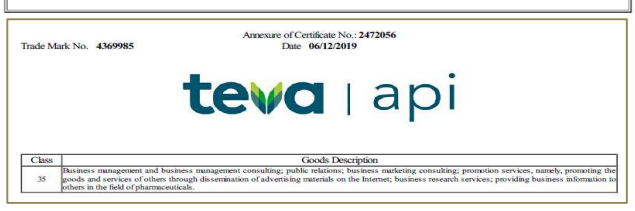

Annexure of Certificate No.: **2472056**
Trade Mark No. **4369985** Date **06/12/2019**

teva | api

Class	Goods Description
35	Business management and business management consulting; public relations; business marketing consulting; promotion services, namely, promoting the goods and services of others through dissemination of advertising materials on the Internet; business research services; providing business information to others in the field of pharmaceuticals.

Screenshot # 1: Registration certificates of the trademark 'TEVA' and 'TEVA API'

Table 1: Registered trademarks of the complainant in India

	Trade Mark	Reg No.	Date of Application	Country	Class
1.	teva	3248985	28 April 2016	India	99
2.	teva | api	4369984	02 September 2019	India	1
3.	teva | api	4369985	02 September 2019	India	35

5. Parties contentions:

a) **Complainant:** The Complainant contends that the disputed domain name <teva-api.in> is identical and/or confusingly similar to the trademark in which the Complainant has rights. Secondly, the Compliant contends that the Respondent has no rights and legitimate interest in respect of the disputed domain name. Thirdly, the Complainant contends that the Respondent has registered the disputed domain name and has been using the same in bad faith.

b) **Respondent:** The Respondent did not reply to the Complainant's contentions even after providing a fair opportunity. It is pertinent to reiterate that till today, this Panel has not received any reply from the Respondent's.

6. Discussion and Findings

a) As per Paragraph 4(i) of the Policy, the Complainant is required to show that it has a right in the trademark which it intends to assert. Based on the documents furnished by the Complainant it is evident that the trademarks TEVA and TEVA API *per se* are registered since 2016 and 2019 respectively, in India **(see Annexure IV)**.

b) In addition, the Complainant has never authorized the Respondent in any manner whatsoever to offer the goods/ services for sale under its registered trademark TEVA and TEVA API. Therefore, from the averments made by the Complainant, it is clear that the

Respondent is neither a licensee nor has it otherwise obtained the authorization of any kind whatsoever to use the registered trademarks of the Complainant. Accordingly, the Respondent does not have any legitimate interest and it appears that the Respondent has registered the disputed domain name only to enrich itself unjustly from such unauthorized adoption and registration.

c) Once the Complainant makes a *prima facie* case showing its legal rights and lack of any kind of rights/ authorizations to the Respondent from the Complainant, the Respondent must come with proof of legitimate interest in the disputed domain name to rebut the presumption. Nonetheless, the Respondent failed to file any reply whatsoever as on today. I have also provided additional time to file necessary reply/ response. But, the Respondent failed to file any reply towards the Complaint filed by the Complainant. Accordingly, I have decided to proceed based on the merits in the case to pass an award.

d) In light of the above circumstances, my decision is based upon the assertions; evidences presented by the Complainant and inferences drawn from the Respondent's failure to file the response despite offering sufficient opportunity and time to do so.

7. Issues in the Dispute

The Complainant invoked Paragraph 3 of the Rules to initiate arbitration proceedings by filing a Complaint with NIXI. The Respondent in registering the disputed domain name has submitted to the mandatory arbitration proceedings in terms of Paragraph 4 of the Policy, which determines the essential elements for a domain name dispute, which are as follows:

- Whether the disputed domain name is identical or confusingly similar to the registered trademark (legal right) of the Complainant?
- Does the Registrant/ Respondent have any right or legitimate interest in the disputed domain name?

- Does the disputed domain name of the Registrant/ Respondent is registered and is being used in bad faith?

All the above three essential elements are discussed in the following sections:

Essential Element No. 1: Whether the disputed domain name is identical or confusingly similar to the registered trademark (legal right) of the Complainant?

The test for confusing similarity involves a comparison between the registered trademark and the disputed domain name (<teva-api.in>). The Complainant has provided sufficient evidence (Annexure – IV: provides trademark registration details pertinent to India and also foreign countries) in support of its trademark rights for the marks TEVA and TEVA API. Most importantly, the disputed domain name (<teva-api.in>) is identical and/or confusingly similar to the Complainant's registered trademark.

In the present case, the disputed domain name incorporates the Complainant's registered trademark TEVA API in its entirety. In order to assess confusing similarity, it is permissible for the Panel to ignore the country code Top-Level Domain ("ccTLD") ".in". This in combination with the above mentioned evidence of the Complainant satisfies the Panel that the disputed domain name registered by the Respondent is identical or confusingly similar to the Complainant's registered trademark. Therefore, the complainant has satisfied the first essential element.

Essential Element No. 2: Does the Registrant/ Respondent have any right or legitimate interest in the disputed domain name?

Firstly, from the submissions of the Complainant it is clear that they have never authorized the Respondent in any fashion whatsoever or otherwise not licensed to use its registered trademarks TEVA and/or TEVA API for registration of the disputed domain name and the use of associated email Ids thereof. Besides, the Panel notes that the Respondent's failed to provide response/ reply to the contentions raised in the complaint

by the Complainant. This behaviour of the Respondent is an indication of lack of legitimate interest towards the disputed domain name. The Complainant relied on a case law *WIPO D2021-1758* that offers a clear explanation for the term 'bona fide', recited below:

> ***"The words "bona fide" must encompass the Respondent's knowledge and motives in choosing the name in question – if done deliberately to trade off, or take advantage of the Complainant's name or reputation, and then the "bona fide" requirement is not met."***

From the evidences (Annexure VIII and IX) furnished by the Complainant, it abundantly confirms the fraudulent attempts of the Respondent in gaining illegal monetary benefit by using the name of the Complainant is not at all "bona fide". In other words, it is a fraud played by the Respondent. Accordingly, the Panel noticed nothing in the case that suggests the Respondent's ***'bona fide'*** use of the disputed domain name (<teva-api.in>) or the use of email Ids (sales@teva-api.in) associated with it.

Secondly, the Respondent has committed fraud by providing the organization name (TEVA API) of the complainant with Greater Noida address, in WHOIS, at the time of registering the domain name. This is a clear case of impersonating the Complainant. In addition, the Respondent/ registrant has used the disputed domain name to pretend that it is the Complainant and in particular created false emails pretending that they are genuine emails coming from the Complainant to its customers.

Thirdly, the burden of proof to establish legitimate interest over the disputed domain name lies with the Respondent. However, the Respondent failed to establish any kind of legitimacy whatsoever towards the disputed domain name. In addition, from the evidences (Annexure VII, VIII and IX) filed by the Complainant it is clear that the Respondent is using the disputed domain name to gain fraudulent financial benefits by exploiting the registered and well-known trademark, TEVA API, of the Complainant by

offering different drug substances (Active Pharmaceutical Ingredients) under the brand/ mark for sale to different customers of the Complainant. Accordingly, the Complainant has made prima facie case that the Respondent has no right or legitimate interest in the disputed domain name. Therefore, the complainant has satisfied the second essential element.

Essential Element No. 3: Does the disputed domain name of the Registrant/ Respondent is registered and is being used in bad faith?

The Complainant's use of trademark TEVA dates back to 1970's. They have acquired tremendous goodwill and popularity over a period of time. A simple search in internet by the Respondent would have resulted in knowing the existence of 'TEVA', 'TEVA API' and its services in the domain of pharmaceuticals. Accordingly, in light of the above explanations, it can be held without any ambiguity that the Respondent have targeted the Complainant's registered trademark, domain names, its associated email Ids, and importantly its brand reputation when registering the disputed domain name to gain illegal financial benefits.

From the evidences filed by the Complainant (Annexures –VIII and IX in support of the fraud played by the Respondent using company name, address and GST registration number), it is abundantly evident that the Respondent has malafide intention to lure prospective customers and make illegal commercial gains using the email id sales@teva-api.in of the disputed domain name. In December 2021, Complainant was informed about sale of drug substances was being made in India via the disputed domain name/ its associated email ID thereof. Relevant excerpt from Annexure VIII is provided below **Screenshot # 2.**

"Two weeks ago, we received an email to our general inbox with someone telling us they have been offered APIs by a Teva api employee called Mr. Ataur David. We checked and this employee does not exist, neither does the email sales@teva-api.in they are providing. Today I saw a separate email where the sender wants to register a complaint as they claim to have paid to Mr. Ataur David, never receiving the product."

"The below looks like a scam – someone from sales@teva-api.in is sending price offers to a trader in India. We need to take care of this, could you please advise on the next steps?"

Screenshot # 2: Excerpt from Annexure VIII showing email Ids and fake employee of the Complainant.

In fact, it is evident that the Respondent has made illegal financial gains using the email-id by attracting innocent customers. Thereafter, the innocent customers who lost their hard-earned money raised the complaint – see **Screenshot # 3** with the Complainant.

Dear Sir/Madam,

Greetings of the day,

1

This is Somnath Saha, Purchase Executive from Soumi's Herbal Products Pvt. Ltd. Kolkata, India

We are reputed Cosmetic Manufacturer and Supplier at Kolkata, India

I ordered two API's from your Company, Teva API India Pvt. Ltd. Plot No. 2G, 2H & 2I Udyog Vihar, Greater Noida, Noida, 201308 India

CIN: U74899DL2002PTC138679 and GST Number: 27AAACI7787F1Z8 as on 01.12.2021

As per my discussion with Mr. Ataur David I ordered the API to your company in the mail address : sales@teva-api.in

I made the payment of Rs.42,775/- as on 02.12.2021 to your company.

After the payment, there is no information about the order. And It's been 11 days that there is no information.

And, the consulting person Mr. Ataur David didn't pick up my call and whatsapp.

He also avoids my mail.

So, it's my humble request in front of you, kindly let me know about my order.

Please help us regarding the same.

Screenshot # 3: Excerpt from Annexure IX

Considering that the Complainant's trademark is well-known and that the Respondent most certainly had knowledge of the Complainant's trademark, the Panel finds that the disputed domain name was registered and is used in bad faith (Annexures –VIII and IX).

In light of the above, it is evident beyond reasonable doubt that the Respondent has adopted the disputed domain name in bad faith. Therefore, the complainant has satisfied the third essential element.

7. Decision

The Complainant has succeeded in establishing all the three essential elements of the .INDRP Policy.

In light of the above discussions and in accordance with the Policy and Rules, the Panel directs the transfer of disputed domain name **<teva-api.in>** to the Complainant with a request to NIXI to monitor the transfer.

In the facts and circumstances as discussed above, I deem it is appropriate to order the Respondent to pay cost of INR 1,00,000 (One lakh rupees only) for present proceedings to the Complainant.

This award is being passed within the statutory deadline of 60 days from the date of commencement of arbitration proceedings.

Maram Suresh Gupta
Sole Arbitrator

Date: 6th March 2022