



सत्यमेव जयते

# INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

- Page # 1 -

e-Stamp

Certificate No.

Certificate Issued Date

Account Reference

Unique Doc. Reference

Purchased by

Description of Document

Property Description

Consideration Price (Rs.)

First Party

Second Party

Stamp Duty Paid By

Stamp Duty Amount(Rs.)

: IN-DL75068780093976T  
: 23-Apr-2021 02:44 PM  
: IMPACC (SH)/ dlshimp17/ DWARKA/ DL-DLH  
: SUBIN-DLDSLHIMP1750390816919834T  
: KAMAL DAVE  
: Article 12 Award  
: Not Applicable  
: 0  
: (Zero)  
: KAMAL DAVE  
: Not Applicable  
: KAMAL DAVE  
: 100  
: (One Hundred only)



Please write or type below this line

In the matter of the Arbitration Act 1996 as Amended by  
Arbitration & Conciliation (Amendment) Act, 2015;

and

INDRP Rules of Procedure;

and

.IN Domain Name Dispute Resolution Policy (INDRP)

and



## Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding.
2. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
3. The onus of checking the legitimacy is on the users of the certificate.
4. In case of any discrepancy please inform the Competent Authority.

- Page # 1 -



In the matter of an arbitration between

RIMJHIM HADA

Vijay Palace, Gulab Bagh,

Bajrang Nagar,

Nayapura, Kota-324001

INDIA

...Complainant

AND

AJAY KUMAR GUPTA

TRADING GI 592, Ricco Industrial Area,

Sitapura Industrial Area,

Jaipur, Rajasthan - 302022

INDIA

...Respondent

in respect of Disputed Domain Name(s):

[www.aachho.in]

**INDRP Case No: 1344**

**FINAL AWARD (CONSENT AWARD) ON AGREED TERMS**

**A. THE PARTIES AND THEIR REPRESENTATIVES**

**1. Claimant :**

RIMJHIM HADA

Vijay Palace, Gulab Bagh,

Bajrang Nagar, Nayapura, Kota-324001

INDIA





2. Respondent

AJAY KUMAR GUPTA  
TRADING GI 592, Ricco Industrial Area,  
Sitapura Industrial Area,  
Jaipur, Rajasthan – 302022  
INDIA

B. THE DOMAIN NAMES AND REGISTRAR

1. The disputed domain name [www.aachho.in] is registered with GoDaddy.com LLC, Scottsdale, Arizona, U.S.

C. THE ARBITRAL TRIBUNAL – APPOINTMENT

1. As per the records, on 24th February 2021 NIXI sent intimation to the Arbitrator & the parties including the Respondent regarding the appointment of arbitrator to decide the dispute in respect of domain [www.aachho.in].
2. As per the records, I, the undersigned (i.e. Kamal Dave) was appointed as arbitrator by NIXI, in accordance with INDRP Rules of Procedure and .In domain name dispute resolution policy (INDRP), vide appointment order dated 24th February 2021 after I submitted declaration of impartiality and independence at all times with NIXI.
3. The .IN Domain Name Dispute Resolution Policy (INDRP) & Rules of Procedure of INDRP mandates appointment of arbitrator by NIXI, Accordingly clause 5 (b) of INDRP Rules of Procedure provides for it, which reads, "The .IN Registry shall appoint, an Arbitrator from the .IN Registry's list and shall forward the Complaint along with supporting documents to such Arbitrator".





D. PROCEDURAL HISTORY :

1. After my appointment on 24th February 2021 as arbitrator and its intimation by NIXI to me, I passed Procedural Order No 1 on 25th February 2021, thereby directing the complainant & respondent through email at their registered email addresses provided at [www.whois.com](http://www.whois.com) service to file their respective pleadings i.e. complaint & reply and their respective rejoinder & reply to rejoinder and also directed parties to file their respective written arguments as per schedule of dates.
2. Pursuant to the Procedural Order No 1, the complainant submitted the original as well as electronic copy of complaint along-with affidavit reiterating & reaffirming the contents of the complaint along-with documents and also served the respondent with the physical & electronic copy of the aforementioned documents set through email dated 26<sup>th</sup> February 2021 and through courier 01<sup>st</sup> March 2021 & 02<sup>nd</sup> March 2021 respectively.
3. However, during the passing of Procedural Order No 1 on 25th February 2021, a inadvertently typographical error occurred in domain name viz. [[www.acho.in](http://www.acho.in)] instead of [[www.aachho.in](http://www.aachho.in)]. Therefore to rectify this technical defect, on 08<sup>th</sup> March 2021 I passed corrigendum Procedural Order No 1 with correct domain name [[www.aachho.in](http://www.aachho.in)]. Pursuant thereto the complainant submitted the complaint along-with affidavit reiterating & reaffirming the contents of the complaint along-with documents and also served the respondent with the copy of the aforementioned documents set through email & courier dated 09<sup>th</sup> March 2021 respectively.
4. The respondent has submitted their original set of documents including response along-with affidavit in its support, along-with documents/ annexures and affidavit of service of response on the complainant





through courier as well as electronic copy through email. The respondent served the entire set of documents through email & courier on the complainant dated 17<sup>th</sup> March 2021 respectively.

5. The parties also submitted their respective documents viz. copy of courier receipt and tracking report of courier service on other parties and the same have been taken on record.
6. The complainant had filed their rejoinder along-with additional set of annexures through email dated 23<sup>rd</sup> March 2021.
7. The respondent had filed their reply to rejoinder along-with written arguments through email dated 29<sup>th</sup> March 2021.
8. The complainant had filed their affidavit in support of rejoinder through email dated 31<sup>st</sup> March 2021.
9. The rejoinder of the complainant and its reply by the respondent & affidavit in support of rejoinder filed by the complainant were taken on record.
10. The arbitral proceedings got delayed by 14 days as during the process of writing award, the tribunal (Kamal Dave in person) became ill due to body pain & headache and recovery took about ten days.
11. During the process of writing of final award, on 20<sup>th</sup> April 2021, the counsel for the respondent submitted the copy of judgment by WIPO in respect of domain name [www.aachho.com](http://www.aachho.com), with the thereof to the complainant and others.
12. While the process of writing the voluminous award, the arbitral tribunal was apprised by the parties that they have mutually settled the dispute and the complainant does not wish to pursue the complaint. (Copy of email stating settlement is annexed with the award as Appendix - I)

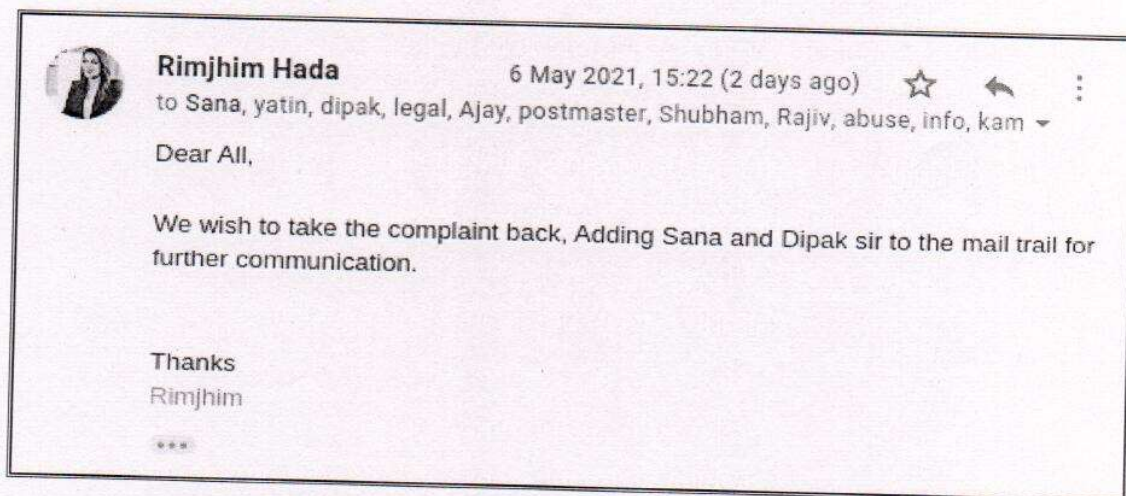




13. Pursuant thereto the arbitral tribunal informed the parties that the process of arbitration gets concluded with the passage of consent award.

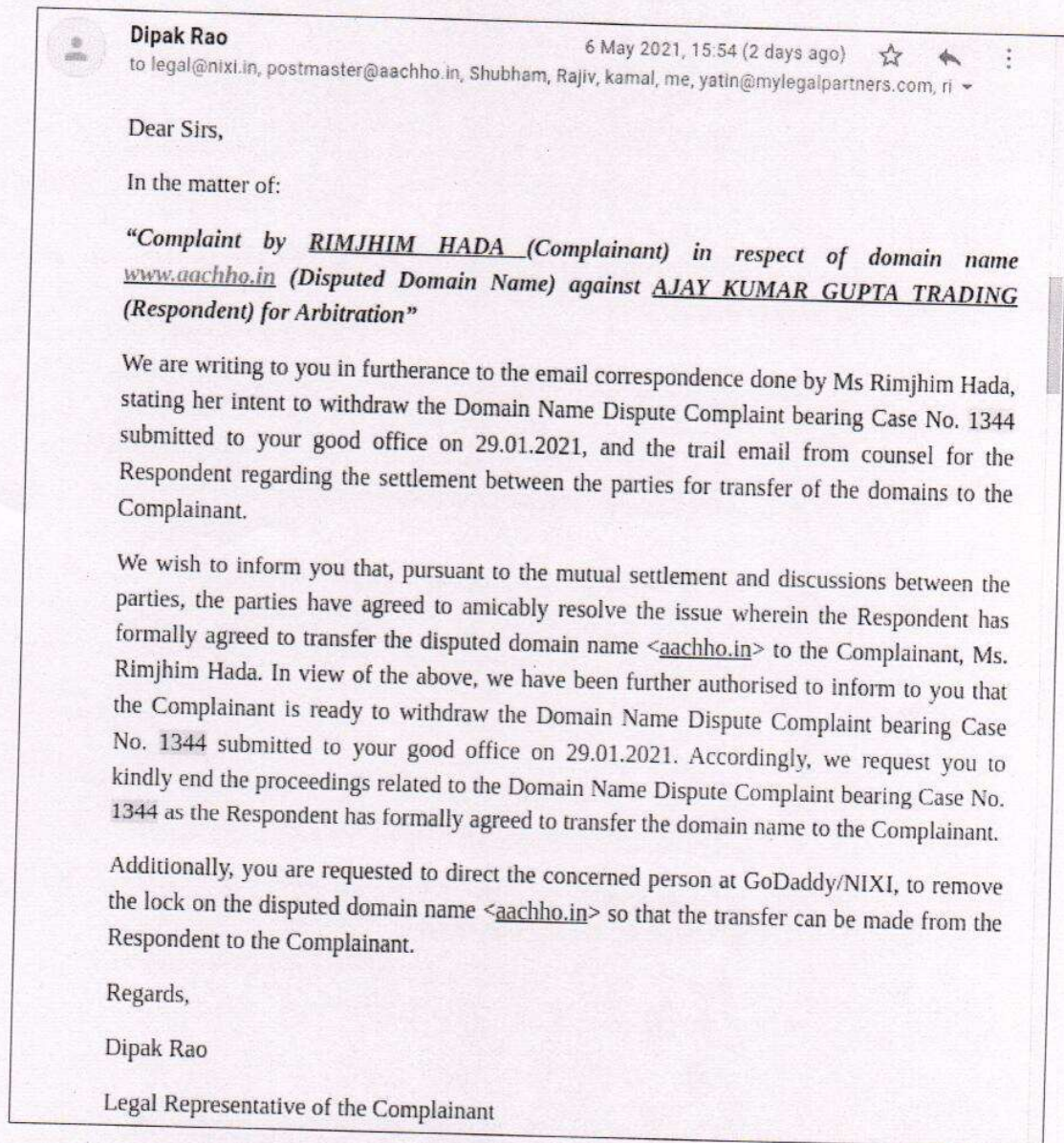
**E. SETTLEMENT :**

1. The parties have concluded that they wish to amicably settle the domain name dispute in respect of [\[www.aachho.in\]](http://www.aachho.in) and the intent thereof was communicated by the complainant & respondent and their respective counsel; And it was communicated to NIXI, the tribunal and the parties to the dispute.
  - a. The complainant had communicated to take back her complaint, the snapshot of the email is reproduced as follows :



- b. The counsel for the complainant sought withdrawal of complaint while referring to the email of the complainant, , the snapshot of the email is reproduced as follows :





- c. The counsel for the respondent sought withdrawal of complaint while referring to the email of the complainant, the snapshot of the email is reproduced as follows :



**From:** yatin chadha <yatin.co@gmail.com>  
**Date:** Thursday, 6 May 2021 at 3:02 PM  
**To:** "legal@nixi.in" <legal@nixi.in>, "rimjhim719@gmail.com" <rimjhim719@gmail.com>, Dipak Rao <dipak@singhania.in>, "Ajay Gupta (Arabella.in)" <ajay@arabella.in>, "postmaster@aachho.in" <postmaster@aachho.in>, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, abuse <abuse@godaddy.com>, info <info@godaddy.com>, kamal dave adv <kamal.dave.adv@gmail.com>, kd arbitration <kd.arbitration@gmail.com>  
**Cc:** "yatin@mylegalpartners.com" <yatin@mylegalpartners.com>  
**Subject:** INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

To,

**Kamal Dave**  
Sole Arbitrator

**Concerned Officials At NIXI**

Greetings

This has reference to the captioned complaint.

We act on behalf of and under authorization from our Client Mr. Ajay Kumar Gupta (Respondent).

We are writing to apprise you that the Complainant and the Respondent have mutually settled the matter. In terms of the settlement the Respondent shall transfer the disputed domain name "**AACHHO.IN**" to the Complainant.

Since the matter has already been settled, the Ld. Arbitrator and the concerned Officials at NIXI are requested to terminate the proceedings.

Regards

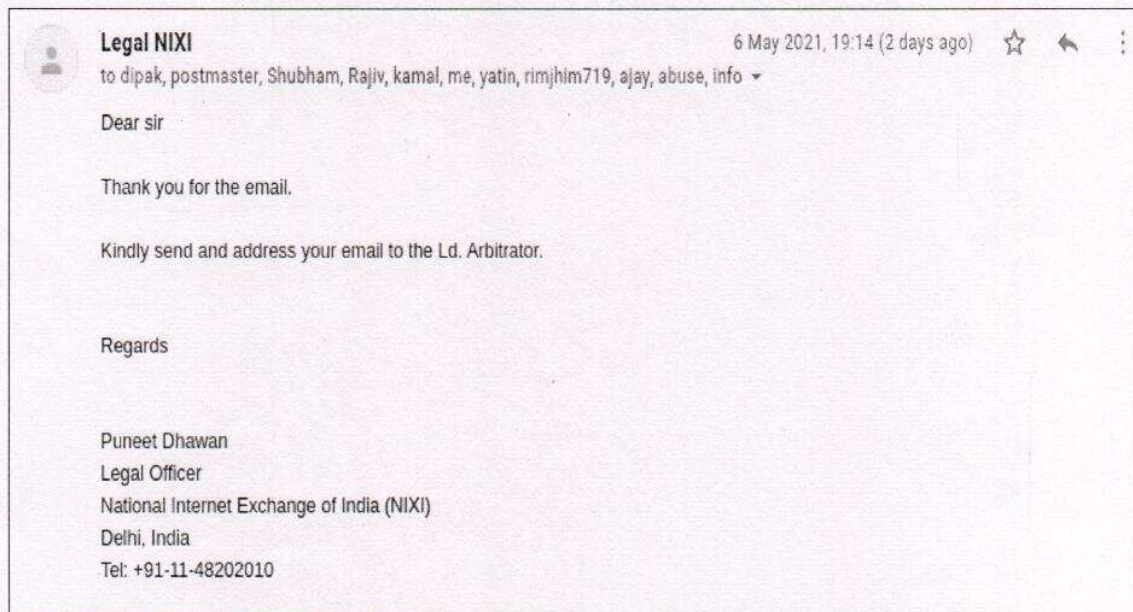
**Yatin Chadha**



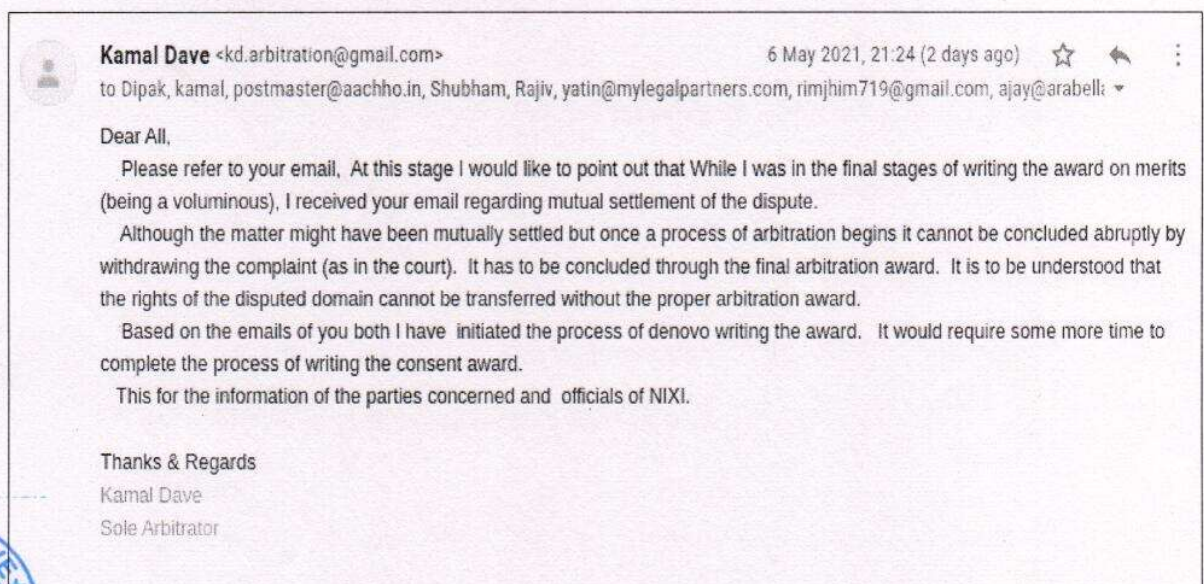
- d. The officials of the NIXI had directed the parties to approach the Ld. Arbitrator/ Tribunal, the snapshot of the email is reproduced as follows :



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e. Accordingly the tribunal informed the parties, the snapshot of the email is reproduced as follows :



- Page # 9 -



2. The parties to the dispute have mutually agreed to amicably settle the dispute finally, whereby :
  - a. The complainant shall withdraw her complaint against the respondent in respect of domain name [www.aachho.in];
  - b. The respondent shall transfer all his rights including administrative rights in respect of the domain name [www.aachho.in] to the complainant;
  - c. The parties conclude that all their disputes in respect of domain name [www.aachho.in] stands amicably settled and no further issue remains to be settled in respect of the domain name [www.aachho.in].

**F. AWARD**

1. I AWARD AND DIRECT respondent to transfer all his rights including administrative rights in respect of the domain name [www.aachho.in] to the complainant with immediate effect.
2. I AWARD AND DIRECT the complainant to withdraw her complaint and all the proceedings against the respondent in respect of domain name [www.aachho.in] in terms of amicable mutual settlement with immediate effect.
3. I AWARD AND DIRECT the National Internet Exchange of India (NIXI) to transfer the domain name [www.aachho.in] to the complainant with immediate effect.
4. I AWARD AND DIRECT that the proceedings stands concluded and parties to bear their own cost.





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This is my FINAL AWARD (CONSENT AWARD) ON AGREED TERMS made and published by me on this 08<sup>th</sup> day of May 2021, at New Delhi, the seat of arbitration.

Kamal Dave  
Sole Arbitrator

**KAMAL DAVE**  
Arbitrator  
FCI Arb., FAMINZ (Med / Arb), FMI Arb., BA  
U.B., PGD ED/ecommerce, PGD IR & PM, DLL  
RZF-222/54, Street No. 31, Sadh Nagar-II,  
Palam Colony, New Delhi-110045



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07/05/2021

Gmail - INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

APPENDIX - I

12



Kamal Dave <kd.arbitration@gmail.com>

**INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties**

6 messages

yatin chadha <yatin.co@gmail.com>

6 May 2021 at 15:02

To: legal@nixi.in, rimjhim719@gmail.com, dipak <dipak@singhaniania.in>, "Ajay Gupta (Arabella.in)" <ajay@arabella.in>, postmaster@aachho.in, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, abuse <abuse@godaddy.com>, info <info@godaddy.com>, kamal dave adv <kamal.dave.adv@gmail.com>, kd arbitration <kd.arbitration@gmail.com>  
Cc: yatin@mylegalpartners.com

To,

**Kamal Dave**  
Sole Arbitrator

**Concerned Officials At NIXI**

Greetings

This has reference to the captioned complaint.

We act on behalf of and under authorization from our Client Mr. Ajay Kumar Gupta (Respondent).

We are writing to apprise you that the Complainant and the Respondent have mutually settled the matter. In terms of the settlement the Respondent shall transfer the disputed domain name "AACHHO.IN" to the Complainant.

Since the matter has already been settled, the Ld. Arbitrator and the concerned Officials at NIXI are requested to terminate the proceedings.

Regards

**Yatin Chadha**

(Advocate & Co-Founder)

Contact Details:

9999904474, 9899904474



*The information contained in this transmission is attorney privileged and / or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.*

Rimjhim Hada <rimjhim719@gmail.com>

6 May 2021 at 15:23

To: yatin chadha <yatin.co@gmail.com>, Sana@singhaniania.in, dipak@singhaniania.in  
Cc: legal@nixi.in, "Ajay Gupta (Arabella.in)" <ajay@arabella.in>, postmaster@aachho.in, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, abuse <abuse@godaddy.com>, info <info@godaddy.com>, kamal dave adv <kamal.dave.adv@gmail.com>, kd arbitration <kd.arbitration@gmail.com>, yatin@mylegalpartners.com

Dear All,

We wish to take the complaint back, Adding Sana and Dipak sir to the mail trail for further communication.

Thanks



07/05/2021

Gmail - INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

Rimjhim

[Quoted text hidden]

Dipak Rao <dipak@singhania.in>

6 May 2021 at 15:54

To: "legal@nixi.in" <legal@nixi.in>, "postmaster@aachho.in" <postmaster@aachho.in>, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, kamal dave adv <kamal.dave.adv@gmail.com>, kd arbitration <kd.arbitration@gmail.com>

Cc: "yatin@mylegalpartners.com" <yatin@mylegalpartners.com>, "rimjhim719@gmail.com" <rimjhim719@gmail.com>, "Ajay Gupta (Arabella.in)" <ajay@arabella.in>, "postmaster@aachho.in" <postmaster@aachho.in>, abuse <abuse@godaddy.com>, info <info@godaddy.com>

Dear Sirs,

In the matter of:

**"Complaint by RIMJHIM HADA (Complainant) in respect of domain name [www.aachho.in](http://www.aachho.in) (Disputed Domain Name) against AJAY KUMAR GUPTA TRADING (Respondent) for Arbitration"**

We are writing to you in furtherance to the email correspondence done by Ms Rimjhim Hada, stating her intent to withdraw the Domain Name Dispute Complaint bearing Case No. 1344 submitted to your good office on 29.01.2021, and the trail email from counsel for the Respondent regarding the settlement between the parties for transfer of the domains to the Complainant.

We wish to inform you that, pursuant to the mutual settlement and discussions between the parties, the parties have agreed to amicably resolve the issue wherein the Respondent has formally agreed to transfer the disputed domain name <aachho.in> to the Complainant, Ms. Rimjhim Hada. In view of the above, we have been further authorised to inform to you that the Complainant is ready to withdraw the Domain Name Dispute Complaint bearing Case No. 1344 submitted to your good office on 29.01.2021. Accordingly, we request you to kindly end the proceedings related to the Domain Name Dispute Complaint bearing Case No. 1344 as the Respondent has formally agreed to transfer the domain name to the Complainant.

Additionally, you are requested to direct the concerned person at GoDaddy/NIXI, to remove the lock on the disputed domain name <aachho.in> so that the transfer can be made from the Respondent to the Complainant.

Regards,

Dipak Rao

Legal Representative of the Complainant

This e-mail is confidential and is meant only for the addressee. If you have received it by error, please delete it from your system, do not use, copy or disclose the information in any way and notify the sender immediately.

**P** Please consider the environment before printing this e-mail.

Sent from Macbook Pro 13



From: yatin chadha <yatin.co@gmail.com>

Date: Thursday, 6 May 2021 at 3:02 PM



07/05/2021

Gmail - INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

To: "legal@nixi.in" <legal@nixi.in>, "rimjhim719@gmail.com" <rimjhim719@gmail.com>, Dipak Rao <dipak@singhanian.in>, "Ajay Gupta (Arabella.in)" <ajay@arabella.in>, "postmaster@aachho.in" <postmaster@aachho.in>, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, abuse <abuse@godaddy.com>, info <info@godaddy.com>, kamal dave adv <kamal.dave.adv@gmail.com>, kd arbitration <kd.arbitration@gmail.com>

Cc: "yatin@mylegalpartners.com" <yatin@mylegalpartners.com>

Subject: INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

To,

**Kamal Dave**

*Sole Arbitrator*

**Concerned Officials At NIXI**

Greetings

This has reference to the captioned complaint.

We act on behalf of and under authorization from our Client Mr. Ajay Kumar Gupta (Respondent).

We are writing to apprise you that the Complainant and the Respondent have mutually settled the matter. In terms of the settlement the Respondent shall transfer the disputed domain name "**AACHHO.IN**" to the Complainant.

Since the matter has already been settled, the Ld. Arbitrator and the concerned Officials at NIXI are requested to terminate the proceedings.

Regards

**Yatin Chadha**

(Advocate & Co-Founder)

Contact Details:

9999904474, 9899904474

Image removed by sender.

[Quoted text hidden]

Legal NIXI <legal@nixi.in>

To: dipak@singhanian.in

6 May 2021 at 19:13

Cc: postmaster@aachho.in, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, kamal dave adv <kamal.dave.adv@gmail.com>, kd arbitration <kd.arbitration@gmail.com>, yatin@mylegalpartners.com, rimjhim719@gmail.com, ajay@arabella.in, abuse@godaddy.com, info@godaddy.com

Dear sir

Thank you for the email.

Kindly send and address your email to the Ld. Arbitrator.

<https://mail.google.com/mail/u/0?ik=4de3ee320d&view=nt&search=all&sortby=...>



[https://mail.google.com/mail/u/07ik=4de3ee320d&view=pt&search=all&permthid=thread\\_fx%2A16000000000000000000](https://mail.google.com/mail/u/07ik=4de3ee320d&view=pt&search=all&permthid=thread_fx%2A16000000000000000000)



07/05/2021

Gmail - INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

Cc: "yatin@mylegalpartners.com" <yatin@mylegalpartners.com>

Subject: INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

To,

Kamal Dave  
Sole Arbitrator

Concerned Officials At NIXI

Greetings

This has reference to the captioned complaint.

We act on behalf of and under authorization from our Client Mr. Ajay Kumar Gupta (Respondent).

We are writing to apprise you that the Complainant and the Respondent have mutually settled the matter. In terms of the settlement the Respondent shall transfer the disputed domain name "AACHHO.IN<http://AACHHO.IN>" to the Complainant.

Since the matter has already been settled, the Ld. Arbitrator and the concerned Officials at NIXI are requested to terminate the proceedings.

Regards

Yatin Chadha

(Advocate & Co-Founder)

Contact Details:

9999904474, 9899904474

[Image removed by sender.]

[Quoted text hidden]

Dipak Rao <dipak@singhania.in>

To: kamal dave adv <kamal.dave.adv@gmail.com>, kd arbitration <kd.arbitration@gmail.com>

6 May 2021 at 19:41

Cc: "postmaster@aachho.in" <postmaster@aachho.in>, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, "yatin@mylegalpartners.com" <yatin@mylegalpartners.com>, "rimjhim719@gmail.com" <rimjhim719@gmail.com>, "ajay@arabella.in" <ajay@arabella.in>, "abuse@godaddy.com" <abuse@godaddy.com>, "info@godaddy.com" <info@godaddy.com>, "legal@nixi.in" <legal@nixi.in>

To,

Mr.Kamal Dave  
Sole Arbitrator

Re: INDRP Case No:1344 domain name <AACHHO.IN>

Dear Sirs,

In the matter of:

"Complaint by RIMJHIM HADA (Complainant) in respect of domain name www.aachho.in (Disputed Domain Name) against AJAY KUMAR GUPTA TRADING (Respondent) for Arbitration"

We are writing to you in furtherance to the email correspondence done by Ms Rimjhim Hada, stating her intent to withdraw the Domain Name Dispute Complaint bearing Case No. 1344 submitted to your good office on 29.01.2021, and the trail email from counsel for the Respondent regarding the settlement between the parties for transfer of the domains to the Complainant.

We wish to inform you that, pursuant to the mutual settlement and discussions between the parties, the parties have agreed to amicably resolve the issue wherein the Respondent has formally agreed to transfer the disputed domain name <aachho.in> to the Complainant, Ms. Rimjhim Hada. In view of the above, we have been further authorised to inform to you that the Complainant is ready to withdraw the Domain Name Dispute Complaint bearing Case No. 1344 submitted to your good office on 29.01.2021. Accordingly, we request you to kindly end the proceedings related to the Domain Name Dispute Complaint bearing Case No. 1344 as the Respondent has formally agreed to transfer the domain name to the Complainant.

Additionally, you are requested to direct the concerned person at GoDaddy/NIXI, to remove the lock on the disputed domain name <aachho.in> so that the transfer can be made from the Respondent to the Complainant.

Regards,

Dipak Rao

Legal Representative of the Complainant





07/05/2021

Gmail - INDRP Case No:1344 domain name <AACHHO.IN> Settlement Between the Parties

17

This e-mail is confidential and is meant only for the addressee. If you have received it by error, please delete it from your system, do not use, copy or disclose the information in any way and notify the sender immediately.

[Quoted text hidden]

**Kamal Dave** <kd.arbitration@gmail.com>

To: Dipak Rao <dipak@singhaniania.in>

6 May 2021 at 21:24

Cc: kamal dave adv <kamal.dave.adv@gmail.com>, "postmaster@aachho.in" <postmaster@aachho.in>, Shubham Saran <shubham@nixi.in>, Rajiv Kumar <rajiv@nixi.in>, "yatin@mylegalpartners.com" <yatin@mylegalpartners.com>, "rimjhim719@gmail.com" <rimjhim719@gmail.com>, "ajay@arabella.in" <ajay@arabella.in>, "abuse@godaddy.com" <abuse@godaddy.com>, "info@godaddy.com" <info@godaddy.com>, "legal@nixi.in" <legal@nixi.in>

Dear All,

Please refer to your email, At this stage I would like to point out that While I was in the final stages of writing the award on merits (being a voluminous), I received your email regarding mutual settlement of the dispute.

Although the matter might have been mutually settled but once a process of arbitration begins it cannot be concluded abruptly by withdrawing the complaint (as in the court). It has to be concluded through the final arbitration award. It is to be understood that the rights of the disputed domain cannot be transferred without the proper arbitration award.

Based on the emails of you both I have initiated the process of denovo writing the award. It would require some more time to complete the process of writing the consent award.

This for the information of the parties concerned and officials of NIXI.

Thanks & Regards

Kamal Dave

Sole Arbitrator

[Quoted text hidden]

