



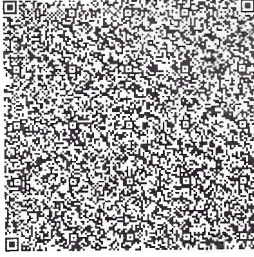
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No.	: IN-DL78679509420656Q
Certificate Issued Date	: 20-Jan-2018 02:52 PM
Account Reference	: IMPACC (IV)/ dl972303/ DELHI/ DL-DLH
Unique Doc. Reference	: SUBIN-DL97230360526830087766Q
Purchased by	: POOJA DODD
Description of Document	: Article Others
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: POOJA DODD
Second Party	: Not Applicable
Stamp Duty Paid By	: POOJA DODD
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



.....Please write or type below this line.....

ARBITRATION AWARD

.IN REGISTRY - NATIONAL INTERNET EXCHANGE OF INDIA

.IN domain Name Dispute Resolution Policy

INDRP Rules of Procedure

Disputed Domain name <phonepewallet.in>

Statutory Alert:

1. The authenticity of this Stamp Certificate should be verified at "www.shcilestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

IN THE MATTER OF:

Phonepe Private Limited
A 25, Mohan Cooperative
Industrial Area,
Badarpur, Delhi – 110044,
India

...COMPLAINANT

Versus

Mr. Dolesh Agarwal
Classifiedwale
Kandiwali, Mumbai – 400101
Maharashtra,
India

...RESPONDENT

1 **The Parties**

The Complainant in this arbitration proceeding is Phonepe Private Limited, a company incorporated under the Companies Act 1956, with its principal place of business at A 25, Mohan Cooperative Industrial Area, Badarpur, Delhi – 110044, India. The Complainant is represented by Arthe Law, its authorized representative.

The Respondent is Mr. Dolesh Agarwal, an Indian National, with office at Classifiedwale, Kandivali, Mumbai – 400101, Maharashtra, India.

2 **Domain Name and Registrar**

The disputed domain name <phonepewallet.in> is registered with GoDaddy.com LLC (R101-AFIN).

As per the Whois Database, the Registrant is Mr. Dolesh Agarwal, of the address Classifiedwale, Kandivali, Mumbai – 400101, Maharashtra, India with the email address info@classifiedwale.com

3 **Procedural History**

By registering the disputed domain name with a NIXI accredited Registrar, the Respondent agreed to the resolution of the disputes pursuant to the .IN Dispute Resolution Policy (the

Policy) and the Rules frame in accordance with the Policy (the Rules). The Complaint was filed with the .IN Registry, NIXI, against Mr. Dolesh Agarwal. NIXI verified the Complaint and its annexures for conformity with the requirements of the Policy and the Rules.

3.1 I submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by NIXI to ensure compliance with the Rules (paragraph-6).

3.2 In accordance with the Rules, Paragraph -- 2(a) and 4(a), NIXI formally notified the respondent of the Complaint and appointed me as the Sole Arbitrator for adjudicating upon the dispute in accordance with The Arbitration and Conciliation Act, 1996, the Policy and the Rules.

3.3 NIXI notified the Respondent of my appointment as the Arbitrator by email on January 5, 2018 and served an electronic copy of the Complaint on him. The Parties were notified by me about the commencement of arbitration proceedings on January 8, 2018 and the Respondent was directed to submit a Response within ten days, i.e. by January 18, 2018.

3.4 The following communication has been made between the Parties and me:

- On January 7, 2018, the Respondent called me with an intention to discuss the Complaint. Without discussing anything, I informed him that the only available mode of communication for him is by email, that to, with copies to NIXI, the Complainant and the Complainant's authorized representatives. All parties concerned were informed about this incident through my email dated January 08, 2018.
- On January 16, 2018, the Legal Officer of NIXI, Mr. R.R. Krishnaa informed me through email that the Respondent had refused to accept the courier which contained a hard copy of the Complaint. Through my email dated January 16, 2018,



I informed the Legal Officer of NIXI that, based on the call received from the Respondent by me, it is safe to work on the presumption that the Respondent has been served, and has knowledge of the Complaint filed with NIXI.

- On January 18, 2018, the Respondent sent a Response through email expressing his agreement to release the disputed domain name.

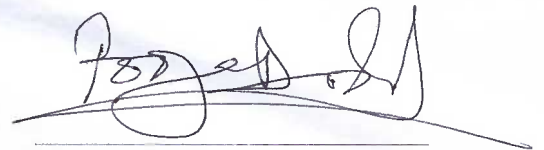
4 Award

The present award is being passed within the period of 60 days from the date of commencement of Arbitration proceedings as per Paragraph 5(c) of the rules.

Given that the Respondent is willing to release the disputed domain name, without going into the merits, I direct that the disputed domain name be transferred to the Complainant.

As the Respondent has agreed to release the domain name on his own accord, and the award is not passed on merits, the Parties are to bear their own costs.

In view of the facts and circumstances stated above I consider this matter resolved.



Sole Arbitrator

January 25, 2018