



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb O.P(COM.DIV.) No. 401 of 2026

M/s.Shanvi Enterprises
Rep by its Sole Proprietor
Mr.V.Amarnath, Flat No.2C, 2nd Floor,
Surprabha Apartment, No.96/43, Gandhi Nagar,
2nd Main Road, Adyar, Chennai-600 020.

..Petitioner(s)

Vs

Shapoorji Pallonji and Company Private Limited,
Registered Office. No.70, Nagindas Master Road,
Fort, Mumbai-400 023.

Also at. Regional Office, KG360 Degrees IT
Business Park, No.7A-1, 7th Floor, No.232/1,
Dr.MGR Salai, Kandanchavadi, Perungudi,
Chennai-600 096

..Respondent(s)

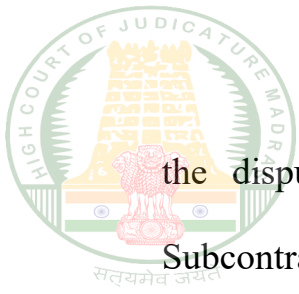
Arbitration Original Petition filed under Section 14 read with 15(2) of the Arbitration and Conciliation Act, 1996, praying to substitute the previously appointed Sole Arbitrator and appoint a Sole Arbitrator to adjudicate the dispute between the Petitioner and the Respondent in terms of the Subcontract Agreement dated 19th November 2021.

For Petitioner(s): Mr.M.S.Murali
For M/s.R And P Partners

For Respondent(s): No appearance

ORDER

This Arbitration Original Petition has been filed to substitute the previously appointed Sole Arbitrator and appoint a Sole Arbitrator to adjudicate



the dispute between the Petitioner and the Respondent in terms of the Subcontract Agreement dated 19th November 2021.

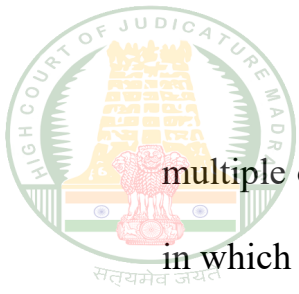
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2. Heard Mr.M.S.Murali, learned counsel for the petitioner.

3. The present application has been filed under Section 14 for substituting the Arbitrator, who was earlier appointed by this Court in its order dated 03.11.2025. On the communication of the learned Arbitrator appointed by this Court, it is seen that he had recused himself from the mandate on the ground that he had represented one of the parties to the arbitration proceedings, namely the respondent herein.

4. It is to be noted that the respondent, who was served with the notice in the Section 11 application, had failed to appear before this Court as noted in the order dated 03.11.2025. Hence, an Arbitrator was appointed *ex parte*. In such view of the matter, notice to the respondent stands dispensed with.

5. The learned Arbitrator was appointed by this Court in its order dated 03.11.2025 in exercise of its powers under Section 11 of the Arbitration and Conciliation Act. The learned Arbitrator had recused himself from the mandate by his communication dated 11.12.2025 addressed to the petitioner as well as the respondent, indicating that he had represented the respondent company on



multiple occasions before this Court and also in several arbitration proceedings, in which the respondent was a party.

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6. That apart, he had also indicated that he continues to represent the group entitles of the second respondent even as of today. As this Court had already exercised its powers to appoint an Arbitrator, noting the disputes between the parties, this Court is of the view that in view of the recusal of the learned Arbitrator appointed by this Court, he could be substituted by appointing a new Arbitrator.

7. Accordingly, this Court appoints Mr.P.Giridharan, Advocate, having office at 'Vanguard House' 3rd Floor, No.48 Second Line Beach, Parrys, Chennai – 600 001, as Sole Arbitrator. The learned Sole Arbitrator is entitled to fix his fees as per the Schedule-IV to the Act.

8. In fine, this petition is disposed of. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

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