

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

AR.No. 32 of 2015 ()

APPLICANTS :

**ALLEPPEY BACK WATER RESORTS PVT. LTD.,
A PRIVATE LTD. COMPANY HAVING ITS REGISTERED
OFFICE AT KAYALORAM LAKE RESORT,
AVALOOKKUNNU, P.O. PUNNAMADA, ALAPPUZHA,
REPRESENTED BY ANTONY GEORGE, AGED 54,
S/O. M.A. GEORGE, MADATHILAKKAL HOUSE,
SEA VIEW WARD, ALAPPUZHA.**

BY ADV. SRI.BABU PAUL.

OPPOSITE PARTY :

**M/S. MIR HOLISTICKS PVT. LTD.
REGISTERED OFFICE AT M.M. BUILDINGS,
KALABHAVAN ROAD, ERNAKULAM NORTH, KOCHI-18.**

**BY ADVS. SRI.RAJESH NAIR,
SRI.BIJOY CHANDRAN.**

**THIS ARBITRATION REQUEST HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

ANNEXURE I COPY OF THE LEASE AGREEMENT DATED 22/09/2008.

ANNEXURE II COPY OF THE LEASE AGREEMENT DATED 10/10/2014.

ANNEXURE III COPY OF THE LEASE AGREEMENT DATED 25/10/2014.

ANNEXURE IV COPY OF THE LAWYER NOTICE DATED 31/03/2015.

ANNEXURE V COPY OF THE REPLY NOTICE DATED 22/04/2015.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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A. R. No. 32 of 2015

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Dated this the 3rd day of November, 2015

O R D E R

The petitioner has entered into a contract with the opposite party. The petitioner has raised certain dispute as per Anx.IV. The petitioner also made a request to appoint a sole Arbitrator. This was turned down as per Anx.V. Accordingly, the petitioner has approached this Court. In view of the fact that, there is specific clause in Anx.I contract which reads as follows:

“12. That the dispute or differences, if any, arising between the parties hereto arising out of this AGREEMENT or touching upon the conditions covered by this AGREEMENT shall be settled amicably between the parties hereto”

2. This Court is of the view that an Arbitrator can be appointed to resolve the disputes. Accordingly, Paul Simon, Retd. District Judge, Marottichuvadu Road, Edappally P.O, Ernakulam, Ph: 9446471175 is appointed as a sole Arbitrator. The arbitrator is free to fix the remuneration after consulting parties.

The Arbitration Request is disposed of.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE