

In the High Court of Judicature at Madras

Dated : 26.06.2015

Coram :

The Hon'ble Mr.Sanjay Kishan Kaul, Chief Justice

O.P.No.792 of 2014

M/s.Al-Arsath Enterprises,
rep. by its Partner K.M.Humayun Kabeer,
having office at New No.16,
Old No.129, New street,
Mannady, Chennai-600 001.

.. Petitioner

-VS-

1.M/s.Freight Bridge Logistics Pvt. Ltd.,
Old No.69, New No.98, 5th Floor,
Leelavathi Building,
Armenian street,
Chennai-600 001.

2.M/s.Freight Bridge Logistics Pvt. Ltd.,
No.218/219, 2nd Floor,
Reena Complex, Opp. Nathani Steel,
Vidyavihar (W),
Mumbai-400 086.

.. Respondents

Petition filed under Section 11 (4) of the Arbitration and Conciliation Act, 1996, to appoint any competent person as the sole Arbitrator to resolve the dispute between the petitioner and the respondents as per Clause 25 of the said Model Transport Document/bill of lading bearing No.FBLCPKL0514/00170 dated 19.05.2014.

For Petitioner

: Mr.Hari Radhakrishnan

For Respondent : Mr.S.Raghunathan

* * * * *

ORDER

No reply has been filed to the petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996. The learned counsel for parties state that the arbitration Clause is not in dispute nor is there existence of any dispute over the jurisdiction of this Court. The prayer made is that they want to resolve the disputes amicably through mediation, for which a reference may be made and in case of failure, the parties would go for arbitration.

2. Parties to appear before the Mediation and Conciliation Centre, Madras High Court campus on 09.07.2015 at 2.15 P.M. and the Mediator will endeavour to conclude the mediation within a period of two months from the said date or any extended date, as may be granted by this Court.

3. It is also agreed that if no settlement is arrived at within the aforesaid period of time, the disputes shall be resolved through arbitration as per the agreement *inter se* the parties.

4. I, therefore, appoint Mr.R.Krishnamurthy, Senior Advocate as the Sole Arbitrator to enter upon the reference and adjudicate the disputes *inter se* the parties. The arbitration proceedings will be conducted under the aegis of Madras High Court Arbitration Centre and the parties will be governed by the Rules of the Madras High Court Arbitration Centre (MHCAC) (Arbitration Proceedings) & (Administrative Cost and Arbitrators' Fees) Rules, 2014.

5. The Original Petition, accordingly, stands allowed, leaving the parties to bear their own costs.

(S.K.K., CJ.)
26.06.2015

bbr

Index : Yes/No

Internet : Yes/No

Note: Mark a copy to

(i) The Addl. Registrar-Vigilance
Madras High Court Arbitration Centre,
Madras High Court Campus, Chennai.

(ii)The Arbitrator, as referred above.

The Hon'ble Chief Justice

bbr

O.P.No.792 of 2014

26.06.2015