

In the High Court of Judicature at Madras

Dated : 28.04.2015

Coram :

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

O.P.No.87 of 2015

M/s.Pro-Interactive Services (India)

Pvt. Ltd., Regd. Office at
31-32, Begumpur Park,
Shivalik, Malviya Nagar, New Delhi.

.. Petitioner

-vs-

M/s.Financial Software & Services

Pvt. Ltd., Regd. Office at
No.42, Saradha Ground Floor,
III Main Road, Gandhi Nagar,
Adyar, Chennai.

..Respondent

Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996, to appoint arbitrator (s) to adjudicate the dispute arising out of the Agreement dated 16.09.2011 between the Petitioner and the Respondent under the Act.

For Petitioner : M/s.Pushpa Menon

For Respondent : Mr.A.Jenasenan

* * * * *

ORDER

Learned counsel for the parties agree that in view of the arbitration Clause 20 of the Master Services Agreement dated 16.09.2011, which has given rise to the dispute, the jurisdiction of this Court not being in issue, instead of there being an Arbitral Tribunal of three Arbitrators as

envisaged, by agreement, a Sole Arbitrator be appointed. It is proposed that Mr.K.P.Sivasubramaniam, a retired Judge of this Court, be appointed as the Sole Arbitrator to adjudicate the dispute inter se the parties.

2.Thus, as proposed and agreed, I appoint **Mr.Justice K.P.Sivasubramaniam**, a retired Judge of this Court, as the Sole Arbitrator, to enter upon reference and adjudicate the disputes inter se the parties. As agreed by the learned counsel for parties, the arbitration proceedings will be conducted under the aegis of the Madras High Court Arbitration Centre and the parties will be governed by the Rules of the Centre.

3.The original petition is, accordingly, allowed, leaving the parties to bear their own costs.

(S.K.K., CJ.)
28.04.2015

sra

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

(sra)

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