

In the High Court of Judicature at Madras

Dated: 26.06.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice

Original Petition No. 415 of 2010

East Coast Constructions & Industries Ltd.
Rep. by its Director Mr.S.A.Muhammed Mohideen
having its Registered Office at No.4, Bukharia
Buildings, Moores Road, Chennai 600 006. ... Petitioner

vs.

1. The Project Director
PIU, Port Connectivity Project
National Highways Authority of India
(Ministry of Shipping, Road Transport
& Highways)
Project Implementation Unit
8th Floor, Annexe Buildings
SPIC House, 88, Mount Road
Guindy, Chennai 600 032.
2. The Chairman
Chennai-Ennore Port Road Company Ltd.
G-5&6, Sector 10 Dwarka
New Delhi 110075.
3. The Director
Chennai-Ennore Port Road Company Ltd.
G-5&6, Sector 10 Dwarka
New Delhi 110075.
4. The General Manager (PC)-1
Chennai-Ennore Port Road Company Ltd.
G-5&6, Sector 10 Dwarka
New Delhi 110075.

5. The Director General
 (Road Development & Special Secretary
 Ministry of Road Transport & Highways,
 Transport Bhavan
 No.1, Parliament Street
 New Delhi 110 001. .. Respondents

PRAYER : Petition filed under Section 11(4) & (6) of the Arbitration and Conciliation Act, 1996, for appointment of an Arbitrator to resolve the dispute between the parties arising out of the Agreement dated 26.04.2006 and the Addendum Agreement dated 24.06.2008.

For Petitioner : Mr. Amalaraj
 For Respondents : Mr. Su. Srinivasan
 Assistant Solicitor General-I for
 R1&2
 Mr. P. Wilson, Sr. Counsel
 for M/s.P.Wilson Associates for R5.

ORDER

Learned counsel for the parties state that what has been recorded in the order dated 28.04.2015 is acceptable to both the parties and the learned senior counsel for the National Highways Authority has produced a list of Arbitrators on the panel of the National Highways Authority. From the panel, it is agreed that **Mr. Justice E. Padmanabhan**, a retired Judge of this Court, be appointed as the Sole Arbitrator.

2. Accordingly, I appoint **Mr. Justice E. Padmanabhan**, a retired Judge of this Court, as the Sole Arbitrator, to enter upon the reference and adjudicate the disputes inter se the parties. As agreed by the learned counsel for the parties, the arbitration proceedings will be conducted under the aegis of the Delhi 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.

Sd/ (S.K.K., CJ.)

26.06.2015

//Certified to be a true copy//
Dated this the day of 2015.

R.s/29.12.2015

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

सत्यमेव जयते
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