

In the High Court of Judicature at Madras

Dated : 15.07.2016

Coram :

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

O.P.No.188 of 2016

Simsumara Bhoopathi Sasikala

.. Petitioner

-VS-

M/s.Daimler Financial Services India
(P) Ltd., Rep. by its Manager Legal.

.. Respondent

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an independent sole arbitrator to adjudicate the disputes arising between the petitioner and the respondent pursuant to the Arbitration Clause 85 of the Loan Agreement No.20107745 and dated 30.04.2014.

For Petitioner : Mr.C.V.Shyam Sunder

For Respondent : Mr.H.Mohamed Ismail

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O R D E R

The respondent, who had the right to appoint the Arbitrator in terms of the arbitration clause, on notice to appoint Arbitrator dated 23.02.2016 being served on 24.02.2016, appointed the Arbitrator vide

letter dated 09.03.2016 addressed to the respondent, despatched on 12.03.2016 and received on 14.03.2016. Thus, the appointment has been made within thirty days of the invocation of the arbitration clause.

2.The present petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996, thus, does not survive for consideration and it is, accordingly, disposed of, leaving the parties to bear their own costs.

(S.K.K., CJ.)
15.07.2016

sra

The Hon'ble Chief Justice

(sra)

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