

In the High Court of Judicature at Madras

Dated : 26.02.2016

Coram :

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

O.P.No.45 of 2016

M/s.Jyothy Laboratories Ltd.,
Mumbai, Rep. by its Authorized
Signatory, Mr.R.Karthikeyan.

.. Petitioner

-VS-

M/s.GAIL (India) Limited,
7A, Kences Towers, No.1,
Ramakrishna Street,
North Usman Road, T.Nagar, Chennai.

.. Respondent

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint a Sole Arbitrator to adjudicate upon the legal dispute raised by the respondent against the petitioner under cover of its communications dated 26.02.2015, 11.03.2015 and 17.12.2015 and other disputes arising in relation to the Gas Sales and Transmission Agreement dated 29.12.2010 between the petitioner and the respondent.

For Petitioner : Mr.Anirudh Krishnan

For Respondents : Mr.P.V.S.Giridhar
for M/s.Giridhar & Sai

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O R D E R

Learned counsel for the respondent has filed the reply in Court.

2.Learned counsel for parties jointly propose the name of Mr.Justice Mukul Mudgal, a retired Chief Justice of Punjab and Haryana High Court, as the Sole Arbitrator to enter upon reference and adjudicate all the disputes inter se the parties, subject to the objections of the respondent to the arbitrability of any particular dispute, with the venue at Delhi as provided in the arbitration clause. It is also proposed that the arbitration be held under the aegis of the Delhi High Court Arbitration and Conciliation Centre with the fee and rules of the same governing the parties.

3.I, thus, appoint **Mr.Mukul Mudgal, retired Chief Justice of the Punjab and Haryana High Court**, 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 the Delhi High Court Arbitration Centre and the parties will be governed by the Rules of the Centre.

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

(S.K.K., CJ.)
26.02.2016

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Note: Mark a copy to

- (i) The Addl. Registrar-Vigilance
Delhi High Court Arbitration Centre,
Delhi High Court Campus, New Delhi.
- (ii) Mr. Justice Mukul Mudgal, The Arbitrator,
C-30, 1st Floor, Nizamuddin East,
New Delhi-110013. Ph: 011-41084753.

The Hon'ble Chief Justice

(sra)

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