

In the High Court of Judicature at Madras

Dated : 16.09.2016

Coram :

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

O.P.No.527 of 2016

M/s.Sikora Salvador International
Limited, Rep. By its Director.

.. Petitioner

-VS-

M/s.Golden Prosperous Property Developers
Private Limited, No.1, Justice Rathinavel
Pandian Road, Golden George Nagar,
Chennai 600 107.

.. Respondent

Petition filed under Section 11 (5) of the Arbitration and
Conciliation Act, 1996, to appoint an independent arbitrator and
impartial second arbitrator as provided under Clause 34 of the JDA.

For Petitioner : Mr.Rahul Balaji

For Respondent : Mr.G.RM.Palaniappan

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ORDER

On hearing the learned counsel for parties, the following agreed order is passed:

1. The parties will endeavour to resolve the disputes through mediation, for which the matter is referred to the Tamil Nadu Mediation and Conciliation Centre, Madras High Court Campus. The parties will appear before the Centre on 22.09.2016 at 2.15 p.m.
2. In case, the matter is resolved through the process of mediation, the mediation report shall be filed and the matter will be placed before the Court.
3. If the matter cannot be resolved through mediation, then the disputes will be resolved through arbitration. A window of two (2) months period from the first date is given for resolving the disputes through mediation initially or any extended period as may be granted by the Court.
4. As proposed and agreed, **Mr.Justice N.V.Balasubramanian**, a retired Judge of this Court, is appointed as the Sole Arbitrator to enter upon reference and adjudicate the disputes inter se the parties. The arbitration proceedings would naturally commence

only if the mediation process does not succeed. In such eventuality, 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 framed thereunder.

2.The original petition is, accordingly, disposed of, leaving the parties to bear their own costs.

(S.K.K., CJ.)
16.09.2016

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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.
- (iii)The Assistant Registrar, Tamil Nadu
Mediation and Conciliation Centre,
Madras High Court Campus.

The Hon'ble Chief Justice

(sra)

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