

In the High Court of Judicature at Madras

Dated : 18.11.2016

Coram :

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

O.P.No.703 of 2016

M/s.Macro Marvel Infrastructure Corporation Limited,
rep. by its Director Mr.M.Ravi Kumar,
GC, Gleneden Place,
No.813, Poonamallee High Road,
Kilpauk, Chennai-600 010. .. Petitioner

-VS-

- 1.M/s.Puducherry Slum Clearance Board,
rep. by its Chairman.
- 2.M/s.Puducherry Slum Clearance Board,
rep. by its Executive Engineer,
both at No.106, Pallivasal Street,
Periyar Nagar, Savanapet,
Pudhucherry-605 005. .. Respondents

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an arbitrator for the respondents to adjudicate the calims/disputes arising out of the work order dated 23.11.2011 in PSCB/1HSDP/02/F-156-2009 issued by the respondents to the petitioner.

For Petitioner : Mr.M.Rajaraman

For Respondents : Mr.Reena Isvarya
Addl. Govt. Pleader (Pondy)

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ORDER

The learned Additional Government Pleader (Puducherry) states that in fact, the respondents have been asking the petitioner for resumption of work, as is apparent from the letter dated 15.07.2016. But the petitioner has failed to resume the work.

2. The learned counsel for the petitioner states that undisputedly bill amounts are outstanding, apart from escalation from the very inception, and it is difficult for the petitioner to resume and carry on the work without payments.

3. In view of the aforesaid position, after some arguments, it is agreed as under:-

(1) The petitioner will resume work within ten days.

(2) The respondents will pay a sum of Rs.7,83,300/- (Rupees Seven Lakhs Eighty Three Thousand Three Hundred) being the last amount due, as per RA Bill No.14 within a week thereafter.

(3) The claim of escalation of the petitioner, which is under consideration of the respondents, shall be finalised within one month from today and the payments found due be remitted within the same period of time.

(4) On completion of work, once the accounts are settled, if the petitioner still finds something due, it is open for the petitioner to move for arbitration.

4. The Original Petition, accordingly, stands disposed of, leaving the parties to bear their own costs.

(S.K.K., CJ.)
18.11.2016

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Note: Order copy be issued on 22.11.2016.

Justice

The Hon'ble Chief

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