

In the High Court of Judicature at Madras

Dated : 25.11.2016

Coram :

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

O.P.No.766 of 2016

M/s.T.K.Constructions,
rep. by its Proprietor T.Kannappan,
Civil Engineers & Contractors,
Thanakodi Building,
No.142, Anna Salai,
Puducherry-1.

.. Petitioner

-VS-

- 1.The Chief Engineer,
Public Works Department,
Puducherry-605 013.
- 2.The Superintending Engineer Circle-I,
Public Works Department,
Puducherry.
- 3.The Executive Engineer,
B & R (Central) Division,
Public Works Department,
Puducherry.

.. Respondents

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint independent Sole Arbitrator to adjudicate upon the claims of the petitioner as the Arbitration Application submitted by the petitioner to the Chief Engineer, Public Works Department, Puducherry viz, the first respondent herein dated 10.06.2016 as per the Agreement No.23/TA/DW/BRC/12-13 dated 18.12.2012 and as per Clause 25 of the General Conditions of the Contract for Public Works, 1996.

For Petitioner : Mr.N.Thiagarajan

For Respondents : Mrs.Reena Iswariya

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ORDER

Mrs.D.Reena Iswariya, learned counsel has entered appearance for the respondents.

2. The learned counsel for the respondents states that the respondents are willing to make the payment to the petitioner on the final bill along with the escalation as per the contract within fifteen days from today.

3. There is however one caveat to the claims in the arbitration petition, which is that, according to the respondents, there are some amounts due on account of the escalation being claimed for the items not executed by the petitioner. In this behalf, the learned counsel for the respondents states that the Redressal Committee would look into the matter and take a decision within two months from today.

4. The aforesaid statements are taken on record and the respondents shall remain bound by the same.

5. The original petition, accordingly, stands disposed of with liberty to revive the same, in case some dispute still remains after the aforesaid process is over. No costs.

(S.K.K., CJ.)
25.11.2016

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The Hon'ble Chief Justice

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