

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

ARBITRATION APPLICATION No.151 OF 2014

ORDER:

This application is filed seeking appointment of a substitute arbitrator to adjudicate the claims and disputes between the parties. This Court, by order dated 10.04.2015, appointed Mr. Justice Punnaiah as the sole arbitrator to adjudicate the disputes between the parties. On 16.09.2015, Justice Punnaiah addressed a letter to the applicant informing them that, owing to his ill-health, he was not in a position to conduct arbitral proceedings. As he withdrew from the arbitral proceedings, his mandate stood terminated under Section 15(1)(a) of the Arbitration and Conciliation Act, 1996 and, in terms of Section 15(2) thereof, a substitute arbitrator is required to be appointed to adjudicate the disputes between the respondent and the applicant.

Sri P. Keshava Rao, Learned Counsel for the respondent, would fairly state that, as Sri Justice Punnaiah has withdrawn from arbitration, a substitute arbitrator is required to be appointed in his place.

I consider it appropriate, therefore, to appoint Sri Justice V.V.S. Rao, a retired judge of this Court, as the sole arbitrator. The Learned Arbitrator shall fix his remuneration, and the incidental expenses for arbitration proceedings, in consultation with the parties. The Learned Arbitrator is requested to complete arbitration proceedings, and pass an award at the earliest, preferably within six months from the date of commencement of arbitral proceedings. The

Learned Arbitrator is also requested, to the extent possible, to hold sittings in the mediation centre of the High Court.

The arbitration application is disposed of accordingly. No costs.

RAMESH RANGANATHAN, ACJ

Date: 09.12.2016

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