

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED: 19.06.2017****CORAM****THE HONOURABLE DR. JUSTICE ANITA SUMANTH****O.P.NO.138 OF 2017**

M/s. Gati Kintetsu Express Pvt.Ltd.,
represented by its legal officer,
Mr.D.Santhanam,
registered office at Plot No.20,
Sy.No.12, Kothaguda,
Kondapur,
Hyderabad 500 084 Petitioner

Vs

M/s.Hitachi Payment Services Pvt. Ltd.,
Level 3, MPL Silicon Towers, 23/1,
Velachery Tambaram Main Raod,
Chennai 600 100.
represented by its Managing Director Respondents

Original Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 r/w.Clause 2 of the Appointment of Arbitrators by the Chief Justice of Madras High Court Scheme, 1996 praying for appointment of an independent and sole Arbitrator to adjudicate upon the disputes and claims that have arisen between the parties under the agreement dated 20.03.2014.

for Petitioner : Mr.J.Ravikumar

for Respondent : Mr.N.V.Basanna
for M/s.Sai Bharath & Ilan

ORDER

This petition is filed under section 11(6) of the Arbitration and Conciliation Act praying for the appointment of an Arbitrator to resolve disputes inter se the petitioner and respondent.

2. The petitioner invoked the dispute resolution clause in Agreement dated 20.3.2014 by way of a legal notice dated 17.11.2016, to which there was no response from the respondent.

3. Heard, Mr. J.Ravikumar appearing for the petitioner and Mr. N.V.Basanna appearing for the respondent.

4. Upon hearing, it is clear that the existence of a clause for dispute resolution stands admitted by the respondent.

5. Accordingly and by consent of the parties, I appoint **Mr.N.C.Ramesh, Senior Advocate**, No.16/26, Flat No.2, Parvathynayagam Apartments, II Cross Street, West CIT Nagar, Chennai - 35, as the Sole Arbitrator to enter upon reference and, after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible, preferably within a period of six

months from the date of first sitting of the Arbitral Tribunal. The learned Arbitrator is at liberty to fix his remuneration and other incidental expenses, which shall be borne by both parties equally. The proceedings may be conducted under the aegis of the Madras High Court Arbitration Centre and in accordance with the Madras High Court Arbitration Rules.

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

19.06.2017

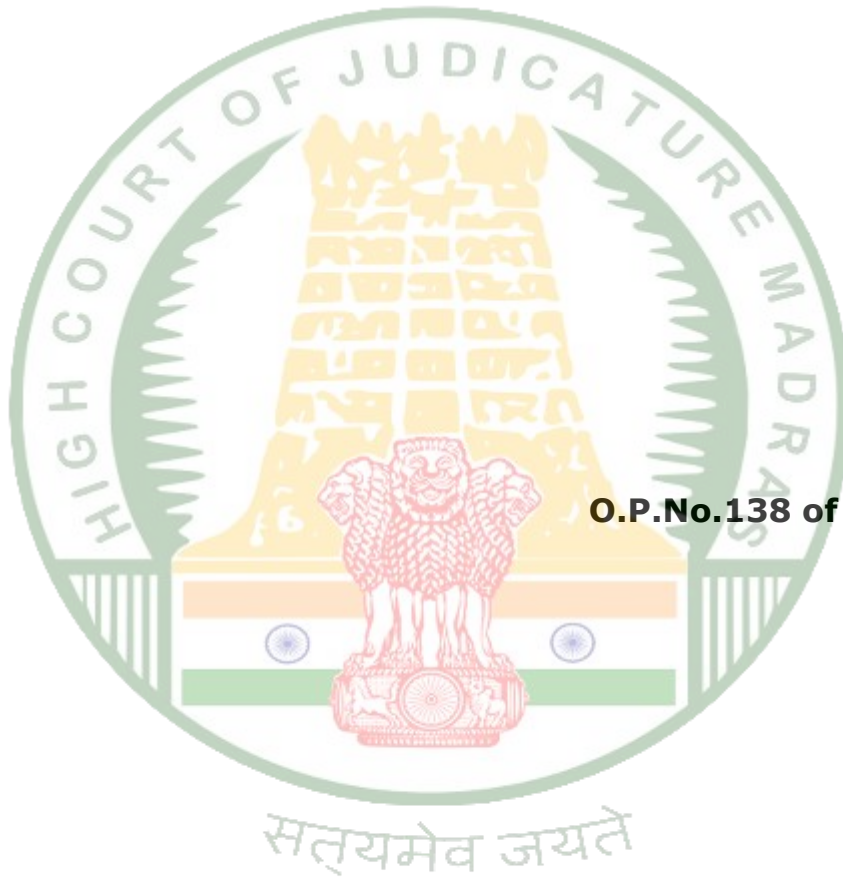
speaking order/non-speaking order
Index:Yes/No
msr



WEB COPY

DR. ANITA SUMANTH, J.

msr



O.P.No.138 of 2017

WEB COPY

19.06.2017



WEB COPY