

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.07.2017

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

O.P.NO.208 OF 2017

M/s.Force I Security Services,
represented by Capt. Shibu Issac,
No.6, 5th Cross Street, Indira Nagar,
Adyar, Chennai 600 020

Petitioner

Vs

Airport Authority of India,
represented by the Airport
Director (Cargo),
Air Cargo Complex,
Chennai Airport,
Chennai 600 027.

Respondent

Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 praying to appoint an Arbitrator as per Clause 21 of the service agreement dated 06.08.2007 to adjudicate the dispute which has arisen inter se the parties.

For Petitioner : Mr. Sanjay Ramasamy
For Respondents: Mr. A.J. Jawad

ORDER

This petition has been filed in terms of section 11(6) of the Arbitration and Conciliation Act (in short 'Act') praying for the appointment of Arbitrator in terms of clause 21 of the Service Agreement between the parties dated 06.08.2007 which provides for

the adjudication of disputes by way of alternate dispute resolution.

2. The dispute relates to the payment of Rs.3 lakhs sought for by the petitioner vide letter dated 24.12.2016. The petitioner also confirms therein, that the amount is claimed solely as a payment to the employees. In response to the aforesaid notice, the respondent vide letter dated 25.01.2017 has sought a confirmation that the claim is relatable to the payment of arrears to the employees and no further claim shall be made by the petitioner in that regard later.

3. In addition, the respondent sought the issuance of a confirmation to the Airport Authority of India withdrawing and cancelling legal notices issued. Vide letter dated 07.02.2017, the petitioner agreed for the terms set forth by the respondent. However, the learned counsel for the respondent today reiterates an indemnity in regard to the aforesaid terms.

4. The petitioner may furnish an indemnity confirming the three issues raised by the respondent vide letter dated 25.1.2017, on receipt of which, the sum of Rs.3 lakhs shall be paid over to the petitioner forthwith.

5. The petition is accordingly ordered, leaving the parties to bear their own costs

31.07.2017

Speaking Order/non-speaking order

Index:yes/No

msr



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DR. ANITA SUMANTH, J.

msr



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