

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.07.2017

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

O.P. No.395 of 2017

Qube Cinema Technologies Pvt. Ltd.,
rep. by Mrs.S.V.Prathima,
Manager – Legal Compliance .. Petitioner

-vs-

M/s.Pavalam Theatre
Proprietor Mr.K.S.Murugesan Bros.,
Thenkarai, Periyakulam 625 601. .. Respondent

Prayer: Petition filed under Section 11(4) of the Arbitration & Conciliation Act, 1996 to appoint a Sole Arbitrator to hear and decide the dispute amongst the parties arising out of the Letter of Understanding dated 27.07.2009.

For Petitioner : Mr.Gaurav Chatterjee

For Respondent : Mr.Seshachari

ORDER

This petition seeks appointment of a Sole Arbitrator to resolve the disputes between the petitioner and respondent arising out of Letter of Understanding dated 27.07.2009. Admittedly the aforesaid Letter of Understanding provides for the resolution of disputes between parties by Arbitrator in terms of Clause 32 thereof.

2.The letter of the petitioner dated 15.07.2016 invoking the clause for arbitration did not receive a response from the respondent. Hence the present petition.

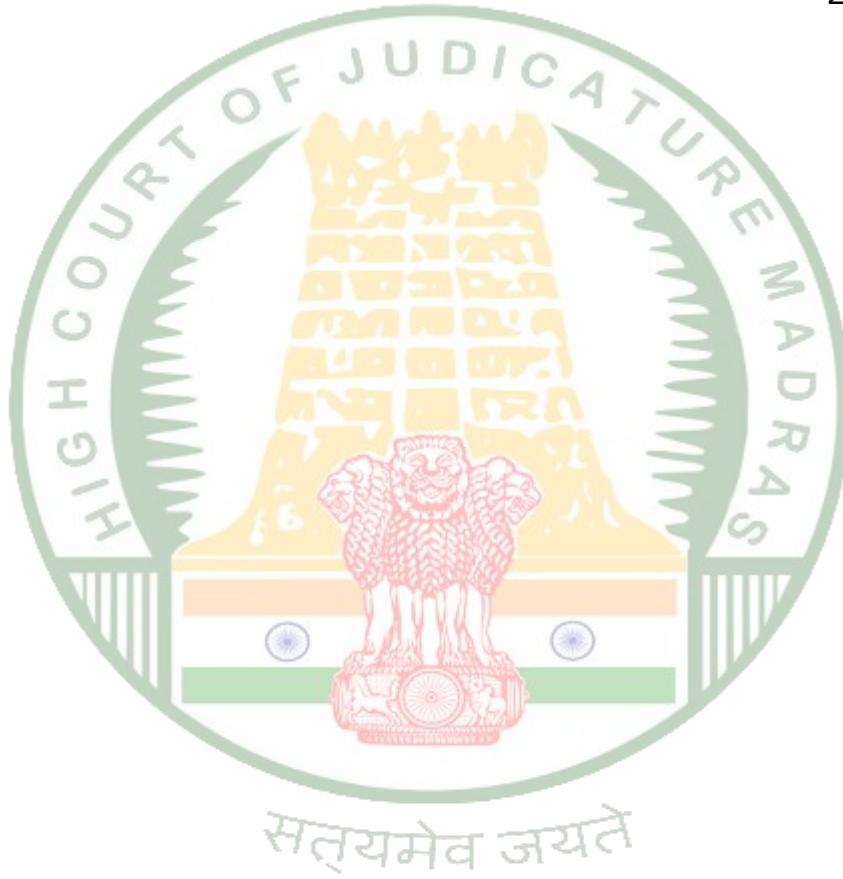
3.When the matter is called for hearing today, both the learned counsel agreed that Dr.Justice P.Devadass, retired Judge of this Court be appointed as Sole Arbitrator in the matter.

4.I, thus, appoint Dr.Justice P.Devadass, Retired Judge, residing at No.10, 'Pasumai Illam', Greenways Road, R.A.Puram, Chennai-600 028, as the Sole Arbitrator to enter upon reference and adjudicate the disputes inter se the parties. He may, 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 receipt of the order. The learned Arbitrator is at liberty to fix his remuneration and other incidental expenses. 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.

5.The Original Petition is, accordingly, allowed, leaving the parties to bear their own costs.

21.07.2017

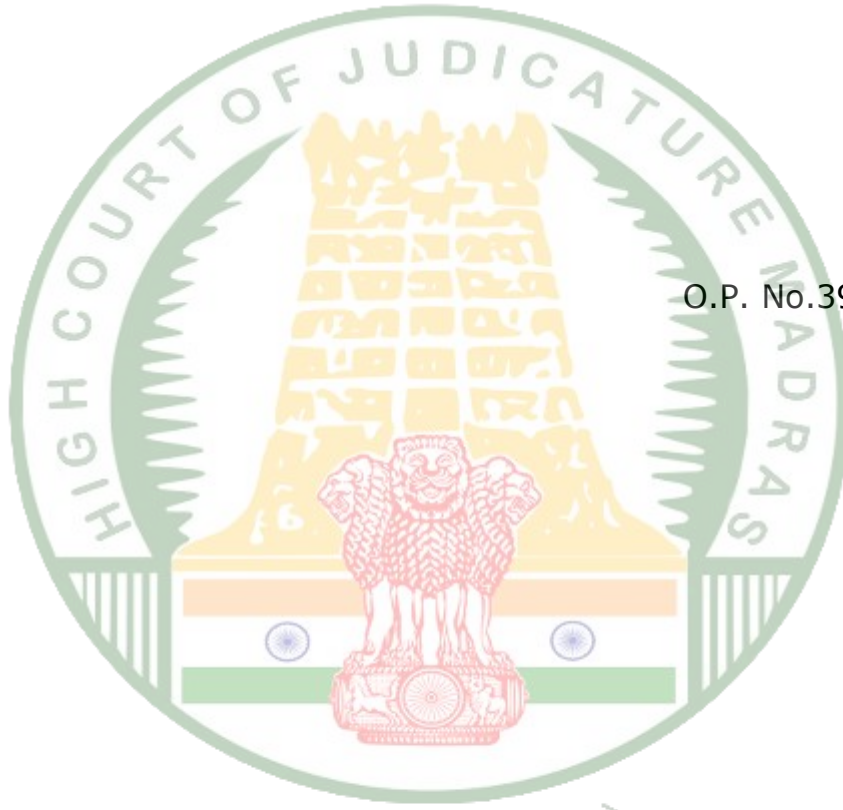
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Dr.ANITA SUMANTH,J.

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