

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2017

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

O.P.No.397 of 2017

Qube Cinema Technologies Pvt.Ltd.,
(Formerly known as Real Image
Media Technologies Pvt. Ltd.,)
having its Registered Office at
No.42, Dr. Ranga Road, Mylapore,
Chennai 600 004, Tamilnadu,
represented by Mrs.S.V.Prathima;
Manager – Legal Compliance

.... Petitioner

Vs

Yamuna Theatre,
Proprietor: Mr.R.Srinivasan,
No.84/6, Villivakkam Redhills Road,
Kolathur, Chennai 600 099,
Tamilnadu

... Respondent

Original Petition filed under Section 11(4) of the Arbitration and Conciliation Act 1996 praying to appoint a Sole Arbitrator to hear and decide the dispute amongs the parties arising out of the Equipment Supply and Services Agreement dated 14th January 2012.

for Petitioner : Mr. Gaurav Chatterjee

for Respondent : Mr. R. Sagadevan

ORDER

The parties in this Original Petition would admit to the position that disputes have arisen out of an Equipment Supply and Services Agreement dated 14th January 2012 entered into between them.

2. The ambit of the dispute before me is only with respect to the person to be nominated as Arbitrator in terms of clause 4 of the Agreement extracted hereunder.

“35. This Agreement will be governed by the Courts in Chennai, and will be governed by the laws of India. In the event of dispute, difference, claims and questions arising out of or relating to this Agreement, the parties shall make all endeavours to settle the dispute by amicable means, failing which the dispute shall be referred to an Arbitrator. The appointment of Arbitrator and the conduct of the arbitration proceedings shall be in accordance with the provisions of the Indian Arbitration & Conciliation Act, 1996 or any statutory modification or re-enactment thereof for the time being in force. The arbitration shall be held at Chennai and all the proceedings shall be conducted in English.”

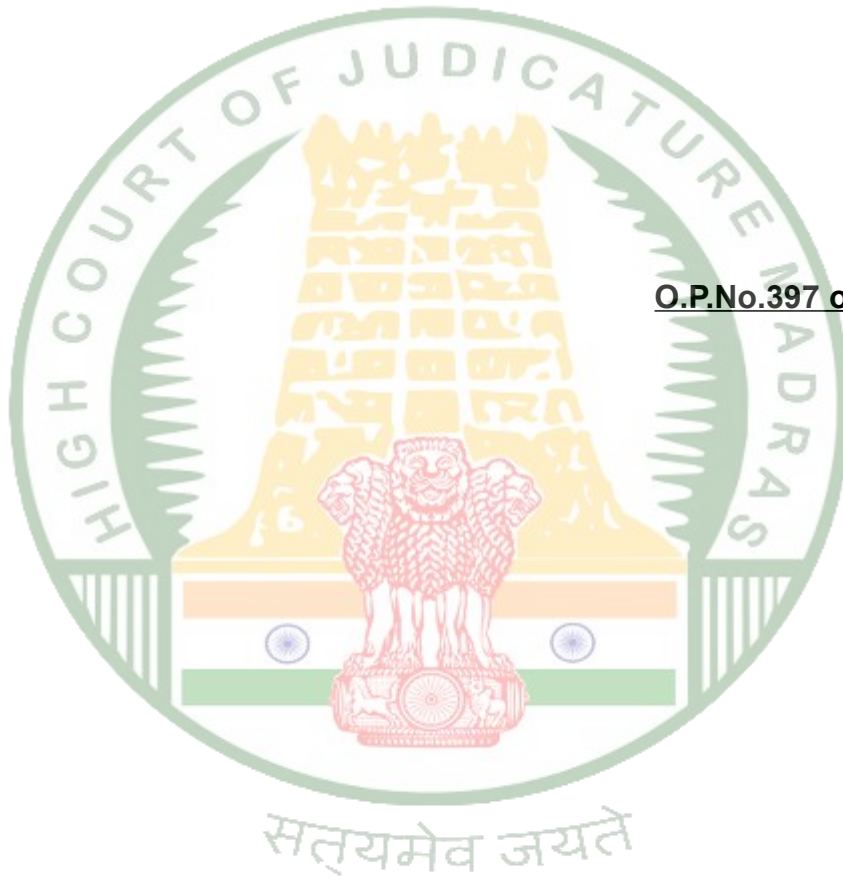
3. I thus appoint Mrs.Chitra Sampath, Senior Advocate, at No.5, Law Chambers, High Court Buildings, Chennai – 104, as a sole arbitrator to enter upon reference and adjudicate disputes inter se the parties. She may, after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible, preferably within a period of six months from the date of receipt of this order. The learned Arbitrator is at liberty to fix her remuneration as well as schedule of 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.

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Index:Yes/No

DR.ANITA SUMANTH, J.

msr



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