

In the High Court of Judicature at Madras

Dated : 27.01.2017

Coram :

The Hon'ble Mr.Sanjay Kishan Kaul, Chief Justice

O.P.No.698 of 2016

M/s.Jayshila Consultants,
2, 1st Floor, Gokul Towers,
7, C.P.Ramsamy Road,
Chennai-600 018. .. Petitioner

-VS-

The Deputy Chief Engineer,
Gauge Conversion – I,
Southern Railways,
State Bank Road,
Trichy – 1. .. Respondent

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint a Sole Arbitrator from the panel of Arbitrators of this Hon'ble Court as per the provisions of the Arbitration and Conciliation Act, 1996, to adjudicate all disputes between the petitioner and the respondent.

For Petitioner : Mr.K.Harishankar

For Respondent : Mr.P.T.Ramkumar

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ORDER

Heard the learned counsel for parties.

2. In the given facts and circumstances of the case, it is agreed as under:-

- (1) The petitioner will present all materials in support of its claim to the respondent within two weeks and the respondent will in turn thereafter examine the same and endeavour to settle the claim, if possible, within a period of six weeks thereafter. If such resolution takes place, then there would be no need for arbitration.
- (2) If, however, no mutual agreed settlement is arrived at, the respondent will suggest a panel of three Arbitrators unconnected with the contract in question and the petitioner would select one of them as an Arbitrator, since the amount in question is only about Rs.5.00 lakhs.
- (3) The Arbitrator in such a situation would endeavour to conclude the proceedings within a maximum period of six months of the petitioner so electing the Arbitrator.

3. The original petition, accordingly, stands disposed of, leaving the parties to bear their own costs.

(S.K.K., CJ.)
27.01.2017

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The Hon'ble Chief Justice

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