

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.03.2018

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

O.P. No.844 of 2017

M/s.ASR Dredging Services Pvt. Ltd
No.7C, Oriental Gardens, South Tower
Krugappally Jn., Desabhimani Road,
Kaloor, Kochi - 682 026.

.. Petitioner

-VS-

M/s.Krishna Dredging Company Pvt. Ltd.
H-No.8-2-293/82/A/379 & 379/A,
2nd Floor, Plot No.379,
Jubilee Hills, Road No.10,
Hyderabad - 500 033.

.. Respondent

Prayer: Petition filed under Section 11(6) (b) of the Arbitration & Conciliation Act, 1996 to appoint an independent and impartial Arbitrator as the Presiding Arbitrator to adjudicate upon the differences and disputes between the parties in terms of the Contract dated 24.09.2012.

For Petitioner

: Mr.K.M.D.Muhilan for
Mr.R.Parthasarathy

For Respondent

: Mr.S.Shyam Kumar

ORDER

This petition seeks for an appointment of an independent and impartial Arbitrator as the Presiding Arbitrator to adjudicate upon the differences and disputes between the parties arising out of Contract dated 24.09.2012.

Arbitrator is liable to be appointed by this Court in terms of the Arbitration Agreement, being clause 28 of the contract dated 24.09.2012. However, though a Presiding Arbitrator has been suggested by Mr.Justice.K.Govindarajan, the petitioners' nominee, there has been no response in this regard from the nominee of the respondent, Mr.V.Chandrasekar, Advocate.

3. In this light of the same, this Court proceeds to appoint a Presiding Arbitrator to constitute the Arbitral Tribunal.

4. I, thus, appoint Mr.Justice N.Paul Vasanthakumar, retired Chief Justice as the Presiding Arbitrator to constitute the Arbitral Tribunal. The learned Tribunal may enter upon reference in the matter and is requested to, after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible. The learned Tribunal is at liberty to fix their remuneration and schedule of incidental expenses.

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

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To

Mr.Justice N.Paul Vasanthakumar,

Retired Chief Justice,

<http://www.judis.nic.in>

“ASHIRVADH”,
No.24-A, II Street,
Kamaraj Avenue, Adayar,
Chennai -600 020.
Tel.Nos. 044-24452817, 044-24454381.

Dr. ANITA SUMANTH, J.

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