

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2018

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

O.P.NO.1001 OF 2018

M/s.K.I.International Ltd.,
Rep.by its Authorised Signatory,
Mr.V.Ravi,
664, T.H.Road, Tondiarpet,
Chennai - 600 081.

.. Petitioner

-VS-

M/s.ARS Energy Pvt.Ltd.,
Rep. By its Director,
D-109, LBR Complex, Fourth Floor,
Anna Nagar East,
Chennai - 600 102.

.. Respondent

PRAYER: Petition filed under Section 11 of the Arbitration & Conciliation Act, 1996 to appoint a sole Arbitrator on to resolve the dispute between the petitioner and the respondent that has arisen pursuant to the Coal Sale & Purchase Agreement dated 25.04.2018.

For Petitioner : Mr.S.R.Raghunathan

For Respondent : Mr.T.Ramesh

ORDER

This Original Petition is filed by the petitioner seeking appointment of Arbitrator to resolve the disputes between the petitioner and the respondent.

2. The petitioner, in accordance with the terms of the Agreement, issued a notice to the respondent invoking Arbitration Clause on 19.06.2018 for which the respondent issued reply notice dated 30.07.2018 expressing his objection for appointing an Arbitrator nominated by the applicant. It is also stated therein, that they are agreeable for an Arbitrator being appointed by the High Court.

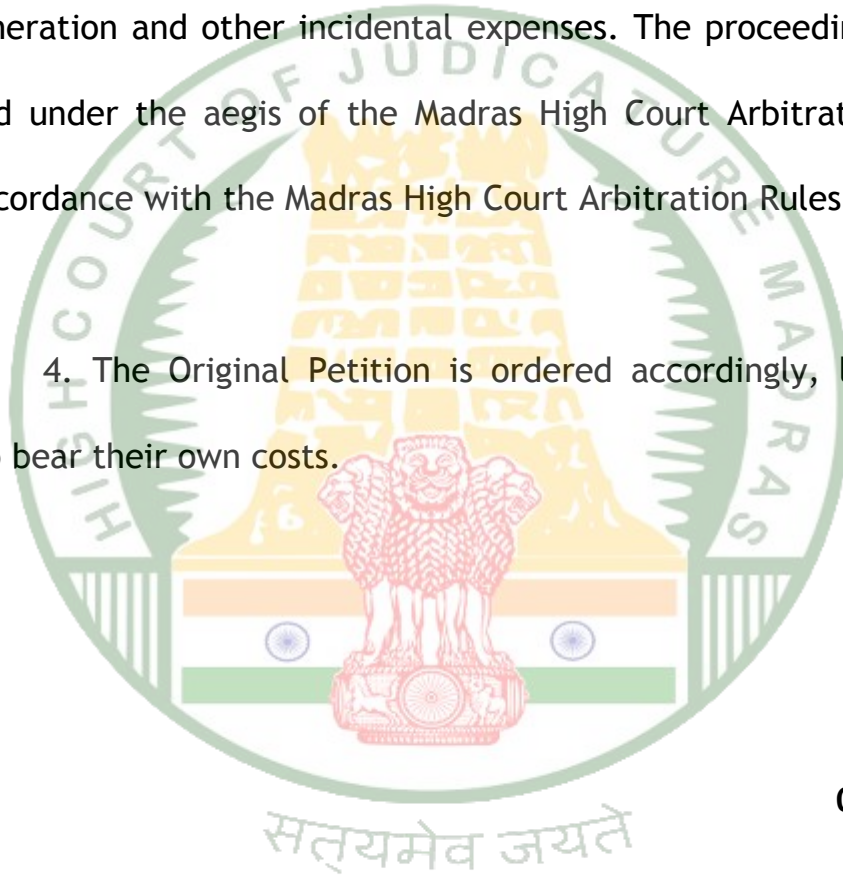
4. When the matter is called for hearing today, both the learned counsel agreed that Mr. Justice P. Rosaiah, (Retd.) be appointed as sole arbitrator.

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5. I thus appoint **Mr. Justice P. Rosaiah, Retd. District Judge, F1/157, Vairam Apartments, F Block 5th Street, Anna Nagar, Chennai - 600102, Phone: 9444493626**, 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.

4. The Original Petition is ordered accordingly, leaving the parties to bear their own costs.



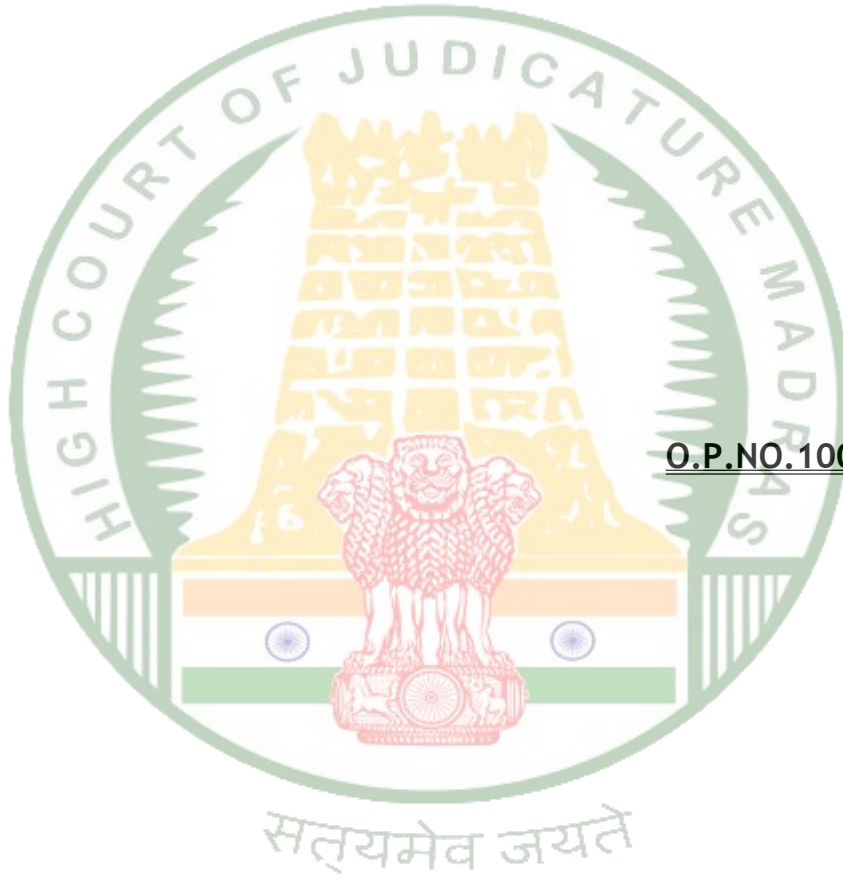
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M.GOVINDARAJ, J.

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