THE HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

ARBITRATION APPLICATION No.22 of 2018

ORDER:

This is an application for appointment of an Arbitrator and to take requisite measure in terms of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as, the A&C Act).

2. Heard learned counsel for the parties.

3. Going by the pleadings and submissions, the agreement between the parties relate to entrustment of a building (hotel) on lease. The existence of an arbitration clause is not in dispute. That there are disputes between the parties for resolution is apparent from the pleadings. Obviously, requisite measure has to be taken to appoint an Arbitrator and facilitate arbitration in accordance with the provisions of the A&C Act.

4. In the result, this Arbitration Application is allowed appointing an Arbitrator.

5. Accordingly, Sri S.Madhava Rao, Retired District and Sessions Judge, is appointed as Arbitrator to arbitrate on the disputes between the applicant and the respondent, including the claims and counter claims of both sides. The said Arbitrator shall enter on reference and proceed with, as enjoined by the A&C Act.

No order as to costs. Miscellaneous applications, if any, pending in the Arbitration Application, shall stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

14.09.2018
vs