

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

ARBITRATION APPLICATION No.132 OF 2015

ORDER:

This is an Application for a measure under Section 11 (6) of the Arbitration and Conciliation Act, 1996; “for short, the A&C Act”.

2. Heard learned counsel for both parties.
3. The existence of an arbitration agreement in terms of the A&C Act is not in dispute. Arbitrable disputes are present even going by the learned counsel for both sides.
4. It is agreed by both the parties that Arbitration shall be held at Hyderabad, though the arbitration clause 25.1 of the agreement, dated 12.03.2014 states that the arbitration shall be held at Bangalore.
5. For the aforesaid reasons, this Arbitration Application is eligible to be allowed taking requisite measure under Section 11 (6) of the A&C Act.
6. In the result, this Arbitration Application is allowed appointing an Arbitrator.
7. Accordingly, Sri Virupaksha Dattatreya Gowda, Retired District 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.

THOTTATHIL B. RADHAKRISHNAN, CJ

26.10.2018
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