

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

ARBITRATION APPLICATION No.6 of 2013

ORDER:

Heard the learned counsel for the applicant and the learned counsel for the first respondent. Though there is no counter affidavit on record, it is submitted on both sides that there is no objection for appointment of an Arbitrator.

2. The existence of an arbitration agreement as between the parties is proved by the materials on record.

3. The allegations disclose disputes between the parties. Leaving open all the issues, including the arbitrability and all claims and defences, this application is allowed.

4. The Arbitrator named in the notice sent by the applicant to the respondents is not acceptable by the respondents.

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

6. Accordingly, Sri V.Balaram, Retired District and Sessions Judge, is appointed as Arbitrator to arbitrate on the disputes between the applicant and the respondents, including the claims and counter claims of both sides. The said Arbitrator shall enter on reference and proceed with, as enjoined by the Arbitration and Conciliation Act, 1996.

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

THOTTATHIL B. RADHAKRISHNAN, CJ

28.09.2018
vs

