

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

ARBITRATION APPLICATION No.156 of 2016

ORDER:

This is an Application for a measure under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act').

2. In spite of notice including through paper publication, the respondent has not responded. In view of the paper publication of the notice in the local area, where the respondent's address is shown, I am satisfied that there is due service of notice. Notice on the respondent is declared as duly served.

3. The applicant, Rashtriya Ispat Nigam Limited, shows that there is an arbitration agreement between the parties as per clause 32 of the General Conditions of Contract. I am satisfied that there is an arbitration agreement between the parties in terms of the provision as defined in the Act. I am also satisfied that due notice has been given by the applicant calling upon the respondent inviting the proposal for arbitration.

4. The respondent has not denied the arbitration agreement or has not shown any ground as to why the requested measure cannot be granted.

5. In the result, the Arbitration Application is allowed appointing Sri R.Damodar, Retired District and Sessions Judge, as the arbitrator to arbitrate on the disputes between the applicant and the respondent and the said arbitrator shall enter on reference and proceed with, as enjoined by the Arbitration and Conciliation Act.

Miscellaneous petitions, if any, pending in the Arbitration Application, shall stand closed. No costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

03.08.2018
pln

