

A.No.3418 of 2019
in O.P.No.653 of 2017

PUSHPA SATHYANARAYANA, J.

This application is instituted by the petitioner praying to appoint a Third Umpire (Presiding Arbitrator) to resolve the dispute between the parties in respect of the policy dated 24.07.2016.

2. The applicant, pursuant to the disputes arising out of Clause 13 of General Conditions of Standard Fire and Special Perils Policy dated 24.07.2016, filed a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 before this Court in O.P.No.653 of 2017 seeking to appoint an Arbitrator to resolve those disputes. This Court ordered the said petition on 23.01.2018, after hearing the parties and recording their nomination of the arbitrators and requested the named learned Arbitrators to appoint a third umpire.

3. Since no consensus could be arrived at in the appointment of the umpire Arbitrator by the learned Arbitrators, the learned Arbitrator nominated by the applicant/petitioner directed the parties to file appropriate application before this Court. Accordingly, the parties are before this Court.

PUSHPA SATHYANARAYANA, J.

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4. Having considered the submissions of both sides, this Court appoints Hon'ble Mr.Justice K.Venkataraman, a retired Judge of this Court, residing at L-Block, No.125, East Anna Nagar, Chennai-600 102, (Phone No.9444390961), as the Presiding Arbitrator. Since originally the applicant sent notice to the respondent seeking for appointment of an Arbitrator as early as on 27.03.2017 and the Arbitrators nominated by the parties were appointed on 23.01.2018, the Arbitral Tribunal now constituted shall expedite the hearing and conclude it preferably within a period of five months from the date of receipt of a copy of this order. The other directions contained in the order 23.01.2018 would continue. 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.

5. This application is ordered accordingly.

19.06.2019

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