

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.07.2019

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

O.P. No.178 of 2019

M/s.Solar Designs Pvt. Ltd.,
No.1, A Wing, 3rd Floor,
Parsn Manere,
602, Anna Salai,
Chennai – 600 006.
Rep by its Authorised Signatory
Mr.A.A.K. Aapath Sakaayem

.. Petitioner

-VS-

Dy. General Manager (Civil),
Kamarajar Port Ltd.,
2nd Floor, (North Wing) and 3rd Floor,
Jawahar Building,
17 Rajaji Salai,
Chennai – 600 001.

.. Respondent

Prayer: Petition filed under Section 11(6) of the Arbitration & Conciliation Act, 1996 to appoint an arbitrator as per clause 25.3 of the agreement dated 08.11.2016 between the parties.

For Petitioner : Mr.Niranjan Rajagopalan
For Respondent : Mr.Manoj Menon
for M/s.Menon, Karthik,
Mukundan & Neelakantan

ORDER

This petition seeks to appoint an arbitrator as per Clause 25.3 of the agreement dated 08.11.2016 between the parties.

2. The petitioner had sought for an appointment of an arbitrator as per Clause 25.3 of the agreement dated 08.11.2016 between the parties.

3. The respondent/Kamarajar Port Limited had already appointed one Dr.R.Rajagopalan, I.P.S. (Retd.) as their arbitrator. Though there was a doubt expressed by the petitioner as to whether the same arbitrator was appointed earlier by the respondent, it is stated that the said arbitrator had been nominated only once and he is qualified to continue as the arbitrator.

4. On the side of the petitioner also, they have appointed one Mr.N.Pitchaimoorthi as arbitrator and the same was communicated to the respondent. Now, both the counsels agreed that the respective arbitrators appointed by them can continue, as mutually they have been appointed by the parties.

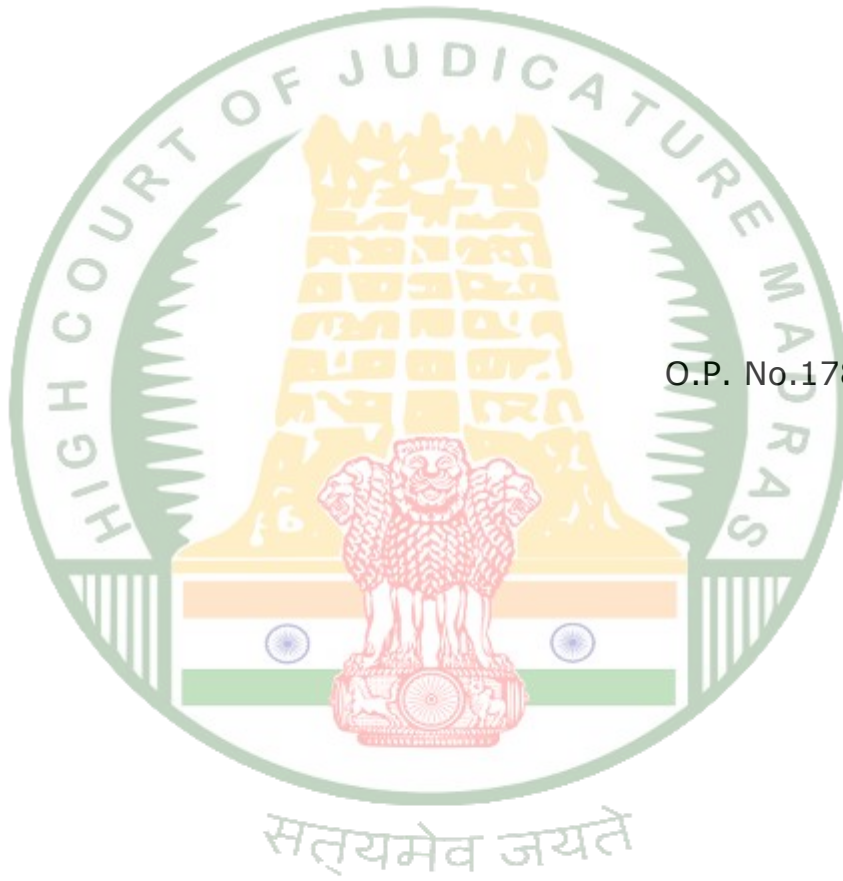
5. It is open to the arbitrators already appointed to name a third arbitrator and proceed with the matter.

6. Accordingly, the Original Petition is closed. No costs.

09.07.2019

PUSHPA SATHYANARAYANA, J.

rsi



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