

A.Nos.10133 & 10134 of 2018
and O.A.No.1205 of 2018

R.SURESH KUMAR, J.

The prayer sought for in A.No.10133 of 2018 is to pass an order permitting the applicant to carry on it business at the Kiosk situated at Platform No.10 & 11 of Egmore Railway Station abutting Station Master room and Catering Stall as per the license agreement dated 05.12.2017 pending disposal of the Arbitral Proceeding and till enforcement of the Arbitral award.

2. Heard Mr.C.S.K.Sathish, learned counsel appearing for the applicant and Mr.P.T.Ram Kumar, learned Standing counsel appearing for the respondents.

3. The contract in question has been terminated already, thereafter request has been made by the applicant to appoint an Arbitrator by the respondents on 18.12.2018. In that circumstances, they approached this Court by way of filing this application. In order to sort out this issue, as an interim measure, the learned Standing Counsel appearing for the respondents submits that, the respondents would appoint an Arbitrator, within a period of thirty days from the date of receipt of a copy of this order and once the Arbitrator is appointed, the matter can be referred to the Arbitrator and till the Arbitrator decides the issue and pass the final award, the applicant can continue the business, which he has already been undertaken at the same place at Platform No.10 & 11

R.SURESH KUMAR, J.

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4. Recording the said submission made by the learned Standing Counsel appearing for the respondents, since the issue can be sorted out, as set out above, for which arrangement, the learned counsel appearing for the applicant has agreed upon. By recording both the learned counsel statement, this Court is inclined to dispose of this application.

5. It is made clear that, the applicant shall be permitted to continue the business at the same place till the decision is made by the Arbitrator and the Arbitrator shall be appointed by the respondents within a period of thirty days from the date of receipt of a copy of this order.

With these directions, A.No.10133 of 2018 is disposed of. In view of the order passed in A.No.10133 of 2018, no further order is required to be passed in both the A.No.10134 of 2018 and O.A.No.1205 of 2018 and accordingly, both the applications are disposed of.

23.04.2019

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Note: Issue copy of the order on 25.04.2019**A.Nos.10133 & 10134 of 2018
and O.A.No.1205 of 2018**