

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Arb.Appln.No.11 of 2019

O R D E R:

This Arbitration Application is filed under Section 11(5)&(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator to resolve the disputes between the applicants and the respondents arising out of the Development Agreement-cum-General Power of Attorney dt.30.09.2013.

2. Clause 22 of the said Agreement contends the arbitration clause, which reads thus:

“In case any dispute arises between parties of the First and Second parts, the matter shall be referred to arbitrators one chosen by First and another chosen by Second and in case of any differences of opinion between such arbitrators, they shall nominate common umpire and their award shall be final and binding on both the parties and the relevant provisions of the arbitration act shall apply to both the parties.”

3. Counsel on both sides states that notwithstanding that the Agreement contemplates the disputes resolution by an Arbitrary Tribunal consisting of three persons, they wish to have a sole Arbitrator and they have agreed for appointment of Hon'ble Sri Justice T.N.C.Ranga Rajan, Former Judge of this High Court to be the Arbitrator to adjudicate upon the disputes between them.

4. In view of the said submissions of counsel on both sides and a Joint Memo dt.15.04.2019 filed by the parties as well as the counsel, which is also placed on record, Hon'ble Justice T.N.C.Ranga Rajan(Retired) is appointed as a Sole Arbitrator to decide the disputes between the applicants and respondents arising out or in relation to Development Agreement-cum-General Power of Attorney dt.30.09.2013.

5. The Arbitration Application is disposed of with the above directions. No order as to costs.

6. Consequently, miscellaneous petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

15th April, 2019.

Note: Copy to be marked to
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