

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**O.P.No.78 of 2020**

C.Mogana Soundaram ... Petitioner

-Vs-

1. The Chief Engineer,
Public Works Department,
Government of Puducherry,
Puducherry – 605 001.

2. The Superintending Engineer Circle I,
Public Works Department,
Government of Puducherry,
Puducherry

3. The Executive Engineer,
Building & Roads (Central) Division,
Public Works Department,
Puducherry

... Respondents

PRAYER: Petition filed under Section 11(6) of the Arbitration and Conciliation Act 1996, as amended Act 2015, praying to appoint an independent Sole Arbitrator to adjudicate upon the claims of the petitioner as the Arbitration application submitted by the petitioner to the Chief Engineer, Public Works Department, Government of Puducherry viz., the 1st

respondent herein dated 09.12.2019 as per the Agreement No.01/TA/PW/BRC/2015-16, dated 21.04.2015 and as per Clause 25 of the General Conditions of the Contract for Public Works 1996 and Award costs of this petition.

For Petitioner : Mr.N.Thiagarajan

For Respondents : Mr.A.V.Ramalingam
Addl. Government Pleader
(Puducherry)

ORDER

This petition has been filed praying to appoint an Arbitrator to adjudicate upon the claims of the petitioner as the Arbitration application submitted by the petitioner to the Chief Engineer, Public Works Department, Government of Puducherry viz., the 1st respondent herein dated 09.12.2019 as per the Agreement No.01/TA/PW/BRC/2015-16, dated 21.04.2015 and as per Clause 25 of the General Conditions of the Contract for Public Works 1996 and Award costs of this petition.

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2. When the matter is taken up for hearing, the Addl. Government Pleader (Puducherry) submits that the Government of Puducherry, has no objection for appointing any one of the Arbitrator in the

list given by the Civil Engineering Contractor (Regd.), as Sole Arbitrator.

3. I, thus, appoint Mr.K.Subhas Chandra Bose, Chief Engineer (Retd) CPWD, No.8, Vallalar Salai, Venkata Nagar, Puducherry – 605 011, Mobile No.9443346788, E-mail: rishibose1942@gmail.com, as the Sole Arbitrator to enter upon reference and adjudicate the disputes *inter se* the parties. He may, after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible, preferably within a period of six months from the date of receipt of the order. The learned Arbitrator is at liberty to fix his remuneration and other incidental expenses. The learned Arbitrator shall conduct the arbitration proceedings in Puducherry.

4. The Original Petition is, accordingly, allowed, leaving the parties to bear their own costs.

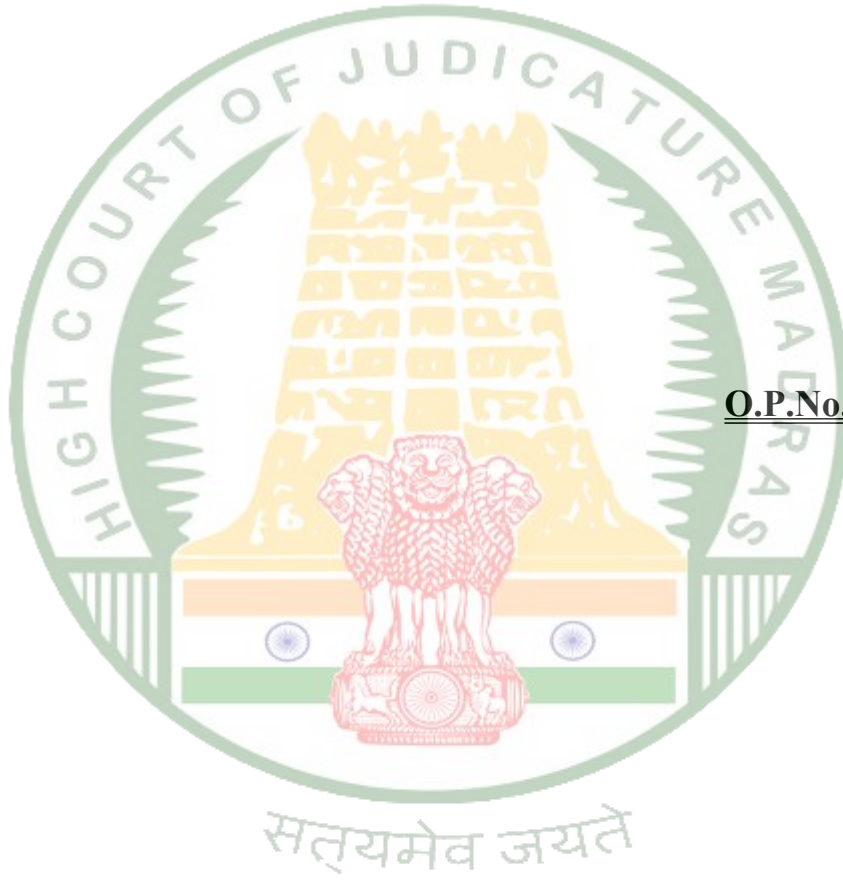
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N.SATHISH KUMAR, J.

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