

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.12.2020

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

O.P.No.439 of 2020

M/s.Eagle Earth Movers Pvt Ltd,
rep.by its Managing Director,
Mr.U.R. Subramaniam,
having Office at No.14,
S.C.S. Complex, South Car Street,
Tiruchengode – 637 311,
Namakkal District, Tamil Nadu

... Petitioner

Vs.

1.The Union of India
rep. by the General Manager,
Southern Railway,
Head Quarters Office,
Park Town,
Chennai – 600 003.

2.The Sr. Den/Bridges/MAS,
Divl. Rlay, Manager's Office,
Works Branch,
Chennai Division,
Chennai – 600 003.

... Respondents

Prayer: Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 as amended by the Arbitration and Conciliation (Amendment) Act, 2015, to appoint an independent and impartial Arbitrator to hear and decide the disputes between the petitioner and the respondent arising out of the Contract Agreement No.29/Sr.Den/Bridges/MAS dated 07.02.2018 – Bridge No.167 UP with costs.

For Petitioner : Ms.K.Aparna Devi

For Respondents : Mr.P.T.Ramkumar,
Standing Counsel (Railways)

ORDER

Today, when the matter is taken up for hearing, the learned counsels appearing on either side have agreed for the Arbitrator to be appointed to resolve the disputes between the two.

2.In the light of the above circumstances, this Court is passing the following orders:

i) The Honourable Mr.Justice K.Ravichandrabaabu, Judge of Madras High Court (Retired), residing at 1D, Crescent Castle Apartment, 13, Second Crescent Park Road, Gandhi Nagar, Adyar, Chennai – 600 020, Contact No.9498033336, is appointed as an Arbitrator.

ii) The Arbitrator 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. It is open to the respondent to raise all legal objections as to the validity of Contract.

iii) The Arbitrator is at liberty to fix the remuneration and other incidental expenses as per Law.

iv) 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.

P.T. ASHA. J.

3. This Original Petition is, accordingly, closed, leaving the parties
to bear their own costs.

08.12.2020

Internet : Yes/No
Index : Yes/No
Speaking / Non-Speaking
mps

Copy to:

The Hon'ble Mr.Justice K.Ravichandrabaabu,
Judge of Madras High Court (Retired),
No.1D, Crescent Castle Apartment,
13, Second Crescent Park Road,
Gandhi Nagar,
Adyar, Chennai – 600 020.

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