

THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 29.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No. 122 of 2021

1.Mr.Ravi Vani Shetty

2.Mrs.Sheila Vanishetty . . . Petitioners

Versus

1.KLN Motor Agencies Pvt.Ltd.
No.3, Apex Plaza, 2E 2nd Floor,
Nungambakkam High Road,
Chennai – 600 034.

2.Mr.K.Chandrasekhar
Beema Sena Garden Street,
Royapettah High Road,
Mylapore, Chennai – 600 004.

3.Mr.Ram Dev Polisetty

4.Mr.Satya Dev Polisetty . . . Respondents

PRAYER : Petition filed under Section 11(5) and 6 of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to adjudicate on the disputes between the petitioner and the respondent arising out of the share Purchase Agreement dated 18.09.2017.

For Petitioners : M/s. Saraswathi
For Respondents : Mr.Y.Prakash for R1 and R2
No appearance for R3
R4 - Exparte

ORDER

This original petition has been filed to appoint an Arbitrator to adjudicate on the disputes between the petitioner and the respondent arising out of the Share Purchase Agreement dated 18.09.2017.

2.Learned counsel appearing for the petitioners would submit that the parties are borne by Clause 8 of the Share Purchase Agreement. As dispute arose in the Share Purchase Agreement entered between the parties, this petition has been filed for appointment of an Arbitrator.

3.Learned counsel for the first and second respondents has no objection for appointment of Honourable Mr. Justice K.Ravichandra Babu as a Sole Arbitrator.

4. Even after printing the name of the third respondent in the cause list and also sending notice through e-mail, none appeared for the third respondent.

5. Vide order dated 16.06.2021, fourth respondent had set ex parte.

6. Considering the fact that there is an arbitration clause in the agreement, this petition is ordered as follows:

i) that Honourable Mr.Justice.K.Ravichandra Babu, Retired Judge, High Court, Madras residing at Flat 1 D, Crescent Castle Apartment, No.13/6, II Crescent, Park Road, Gandhi Nagar, Adyar, Chennai – 600 020. Mobile Nos.9498033336, 9444011433 is appointed as a Sole Arbitrator to enter upon reference and adjudicate the matter.

ii] That the learned Arbitrator appointed herein, shall 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.

iii] That the learned Sole Arbitrator appointed herein shall be paid fees and other incidental charges, fixed by him and the same shall be borne by the parties equally.

7. This Original Petition is ordered accordingly, leaving the parties to bear their own costs.

29.06.2021

Index : Yes / No
Internet: Yes
Speaking/non speaking order

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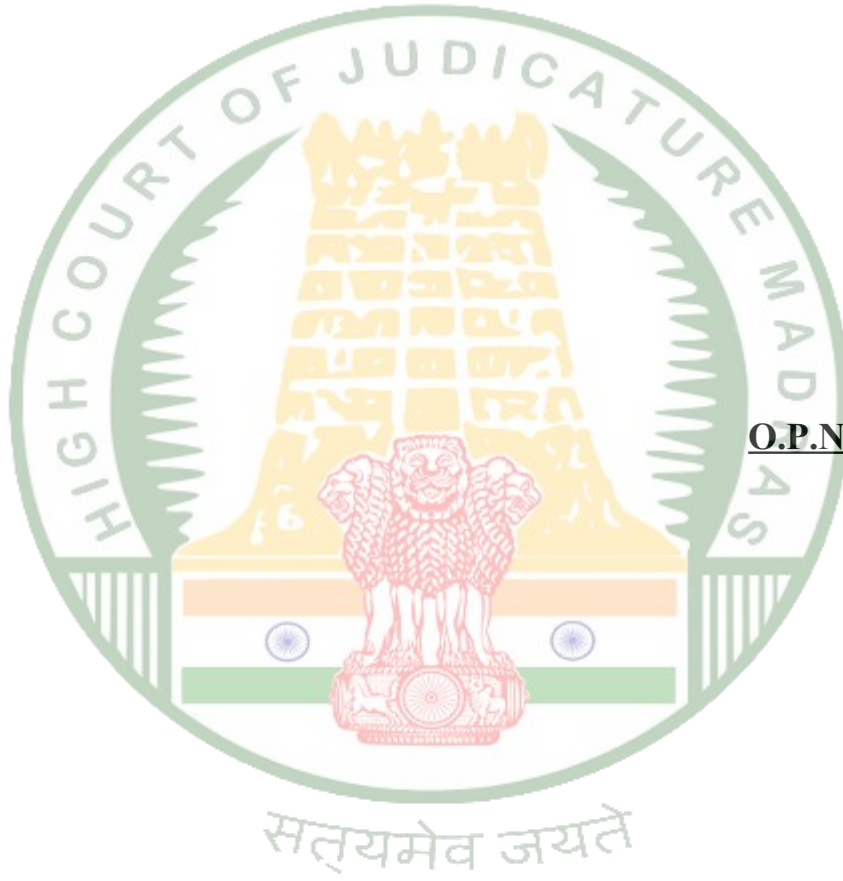
To

Mr.K.Ravichandra Babu,
Retired Judge,
High Court, Madras
Flat 1 D, Crescent Castle Apartment,
No.13, Second Crescent Park Road,
Gandhi Nagar, Adyar,
Chennai – 600 020.
Mobile Nos.9498033336, 9444011433

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N. SATHISH KUMAR, J.

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