



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 24TH DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P.No.355 of 2021

In the matter of Arbitration and
Conciliation Act, 1996

And

In the matter of Arbitration Agreement
dated 28.10.2015 between the
Petitioner and the Respondent

M/s. Convastay Hospitality Private Ltd,
Rep. by its Director Mrs. M. Karunya Lakshmi,
Having office at
New no. 25, Second Street,
Balaji Nagar,
Royapettah, Chennai – 600 014.

. . . Petitioner

-Vs-

Ms. Saira Salim Pasha,
D/o. Mr. Abdul Salim,
No.3, Third Cross Street,
Sterling Road,
Nungambakkam, Chennai – 600 034.

. . . Respondent

Original Petition praying that this Hon'ble Court be pleased to appoint

a Sole Arbitrator to adjudicate on the disputes between the Petitioner and

the Respondent as per the provisions of the Arbitration and Conciliation Act



b) Award Costs of the petition.

WEB COPY

This Original Petition coming on this day before this court for hearing in the presence of M/s.Nathan and Associates, advocates for the petitioner herein and the Respondent herein not appearing in person or by advocate and upon reading the petition and the Supporting Affidavit of Mrs.Karunya Lakshmi filed herein and

it is ordered as follows:-

That Mr.Srinath Sridevan, Advocate residing at “Capitale”, 11th Floor, 555, Anna Salai, Teynampet, Chennai – 600 018, (Mobile No.9841049950) be and is hereby appointed as a Sole Arbitrator to enter upon reference and adjudicate the matter.

2) 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.

3) 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.



4) That both parties hereto shall bear their own costs.

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WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
24TH DAY OF SEPTEMBER 2021.

Sd/-

ASSISTANT REGISTRAR (OS – II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies
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ED

05.10.2021

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O.P.No.355 of 2021

ORDER

DATED: 24.09.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 05/10/2021

APPROVED ON : 07/10/2021

Copy to:

Mr.Srinath Sridevan,
Advocate, Sole Arbitrator,
“Capitale”, 11th Floor,
555, Anna Salai,
Teynampet, Chennai – 600 018.
Mobile No. – 9841049950

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated 24.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**O.P. No. 355 of 2021**

M/s. Convastay Hospitality Private Ltd,
Rep. by its Director Mrs. M. Karunya Lakshmi,
having office at
New no. 25, Second Street,
Balaji Nagar, Royapettah,
Chennai – 600 014.

. . . Petitioners

Versus

Ms. Saira Salim Pasha,

. . . Respondent

PRAYER : Petition filed under Section 11(6) of arbitration and conciliation Act, 1996, to appoint a sole Arbitrator to adjudicate on the disputes between the Petitioner and the Respondent as per provisions of the Arbitration and Conciliation Act, 1996 and to award costs of the petition.

For Petitioner : M/s.Nathan and Associates

For Respondent : No appearance

ORDER

This Original Petition has been filed to appoint an Arbitrator to adjudicate on the disputes between the petitioner and the respondent as per the provisions for the Arbitration and Conciliation Act, 1996.



2.As dispute arose in the lease agreement dated 28.10.2015 entered between the parties, this petition has been filed for appointment of a Sole Arbitrator. The parties are governed by the Agreement and Clause 17 of lease agreement provides for reference to the Arbitrator.

Clause 17 of the lease agreement dated 28.10.2015 reads as follows:-

“Arbitration: Any dispute arising out of this agreement shall be first referred to Arbitration within the Jurisdiction of Chennai. “

3. Despite service of notice, none appeared for the respondent.

4. Considering the fact that there is an arbitration clause in the agreement, this Court is inclined to appoint Mr.Srinath Sridevan, Advocate as an Arbitrator, to arbitrate the disputes between the parties.

5. Accordingly, this Arbitration Original Petition is ordered as follows:

i) that Mr.Srinath Sridevan, Advocate residing at “Capitale” - 11th floor, 555, Anna salai, Teynampet, Chennai 600 018, Mobile No: 9841049950 is appointed as a Sole Arbitrator to enter upon reference and adjudicate the matter.



WEB COPY

ii] The learned sole 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] 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.

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

Sd./-N.S.K.J
24.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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