

THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 29.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No. 299 of 2021
and A.No.1539 of 2021

1.Elton Vales

2.Jenny Vales

... Petitioners

Versus

1.M/s Hinduja Leyland Finance Limited
No.27A, Developed Industrial Estate,
Guindy, Chennai – 600 032.

2.Mr.N.Sivathanu, (Sole Arbitrator)
Dist.Judge (Retd)
No.E-1/63, Sideo Nagar, 5th Main Road,
Near by Fires Station, Villivakkam,
Chennai 600 049.

... Respondents

PRAYER : Petition filed under Section 14(1)(a) read with Section 15(2) of the Arbitration and Conciliation Act, to terminate the mandate of the Arbitrator in the arbitration proceedings No.ARC/HLF/VL/117/20 between the petitioners and the respondents and appoint a Sole Arbitrator to adjudicate upon the disputes between the petitioners and the respondents.

For Petitioners : M/s. Keerthikiran Murali

For Respondents : Mr.Balasubramani Velan

ORDER

This original petition has been filed to terminate the mandate of the Arbitrator in the arbitration proceedings No.ARC/HLF/VL/117/20 mainly on the ground that the Arbitrator was nominated by the respondents themselves.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondents.

3. Learned counsel for the petitioners submitted that the Arbitrator was nominated by the respondents themselves and there cannot be an unilateral appointment of an Arbitrator. The proposed Arbitrator was already engaged in many cases by the respondents.

4. Learned counsel for the respondents has no objection for appointment of Mr.Naveen Kumar Murthy, Advocate as an Arbitrator.

5. Without going into the merits of this case, this Court appoints a sole arbitrator in this matter.

6. In such view of the matter, this petition is ordered as follows:

i) that Mr. Naveen Kumar Murthy, Advocate residing at S2, 2nd Floor, Singapore Plaza, Linghi Chetty Street, Chennai- 600 001. Mobile No. 988474024 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 incidental charges fixed by him and the same shall be borne by the parties equally.

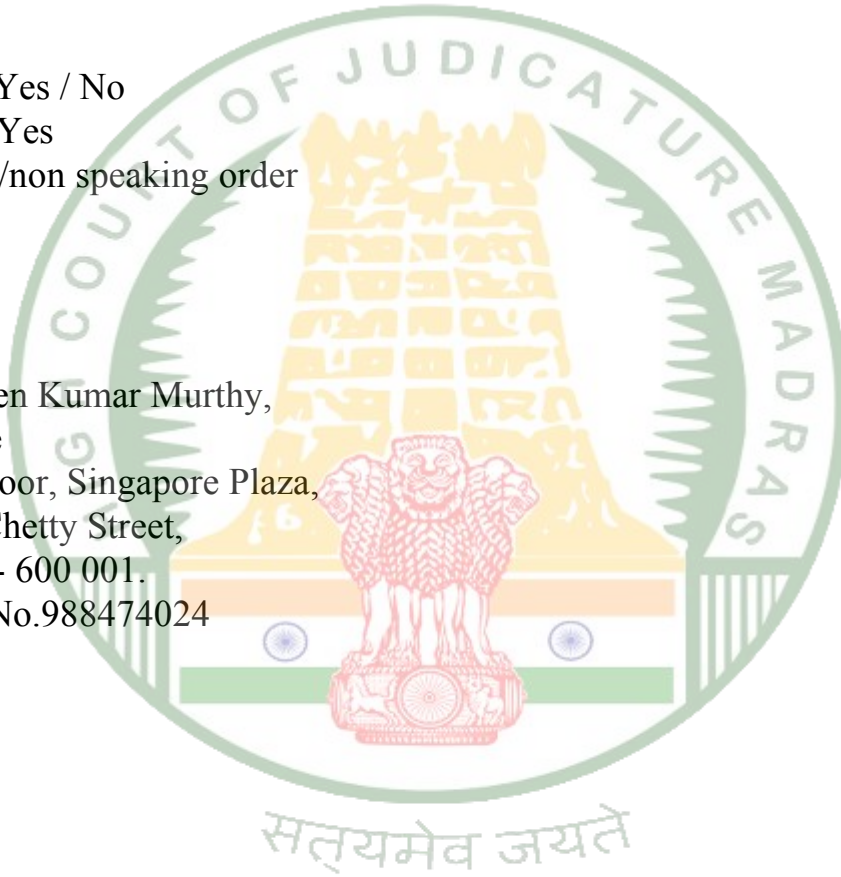
7. This Original Petition is ordered accordingly, leaving the parties to bear their own costs. Consequently, connected application is closed.

29.06.2021

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

msv

To
Mr.Naveen Kumar Murthy,
Advocate
S2, 2nd Floor, Singapore Plaza,
Linghi Chetty Street,
Chennai- 600 001.
Mobile No.988474024

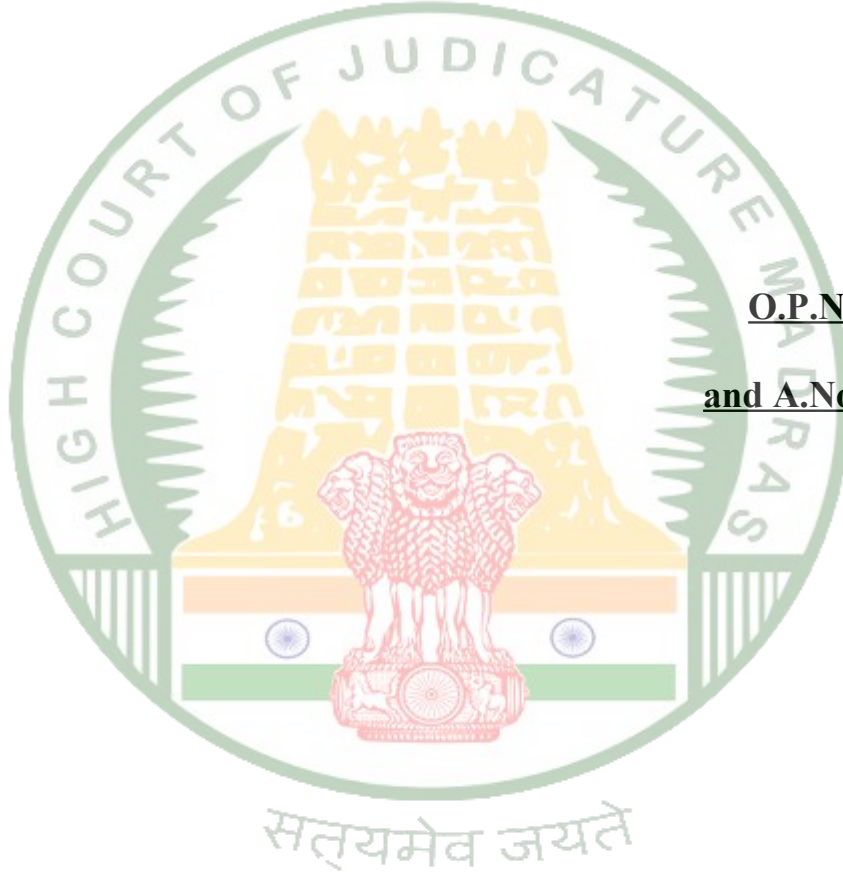


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