

THE HIGH COURT OF JUDICATURE AT MADRAS

Date 28.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No.326 of 2021

M/s.Daimler Financial Services India Pvt. Ltd.,
Represented by its Authorised Sginator,
Rakesh DawnyKokkattu,

st
1 Floor, Unit # 1, Block B -
Tek Meadows Campus,
No.51, Rajiv Gandhi Salai,
Sholinganallur, Chennai – 600 119.

... Petitioner

Versus

1. M/s.Jeevan Polymers Private Limited,
Represented by its Director,
12/C, CIE Gandhi Nagar, Chintal Balanagar,
Hyderabad, Andhra Pradesh – 500 037.

2. Mr.Sanjay Dugar,
Plot No.3, Amravathi Housing Colony,
Kauslaya Estates Karkhana,
Hyderabad, Andhra Pradesh – 500 026.

... Respondents

PRAYER : Applicant filed under section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint a Sole Arbitrator to adjudicate upon the differences and disputes between the parties under the said agreement dated 17.04.2017 in respect of contract bearing No.10124917.

For petitioner : Mr.M.Arunachalam

For respondents : No appearance

ORDER

This petition has been filed for appointment of an arbitrator to resolve the dispute arising out of the Loan Agreement dated 06.12.2019.

2. Despite notice served on the respondents, none appeared for the respondents. Hence, the respondents have been set exparte.

3. The respondents had borrowed a sum of of Rs.35,00,000/- from the petitioner and in this regard, loan agreement has been entered between the parties on 17.04.2017. Clause 66 of the loan Agreement entered between the parties, indicate that if any dispute arose between the parties, they had agreed to refer the dispute for arbitration. As respondent committed default, the petitioner is before this Court for appointment of an arbitrator to refer the dispute for arbitration.

4. In such view of the matter, it is ordered as follows:

i] that Mr.Sharath Chandran, Advocate, No.3, Gopal

Menon Street, Vepery, Chennai – 600 007, Mobile

No.9884445442 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 be paid fees and other incidental charges fixed by him and the same shall be borne by the parties equally.

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

28 .06.2021

Index : Yes / No

Internet: Yes

Speaking/non speaking order

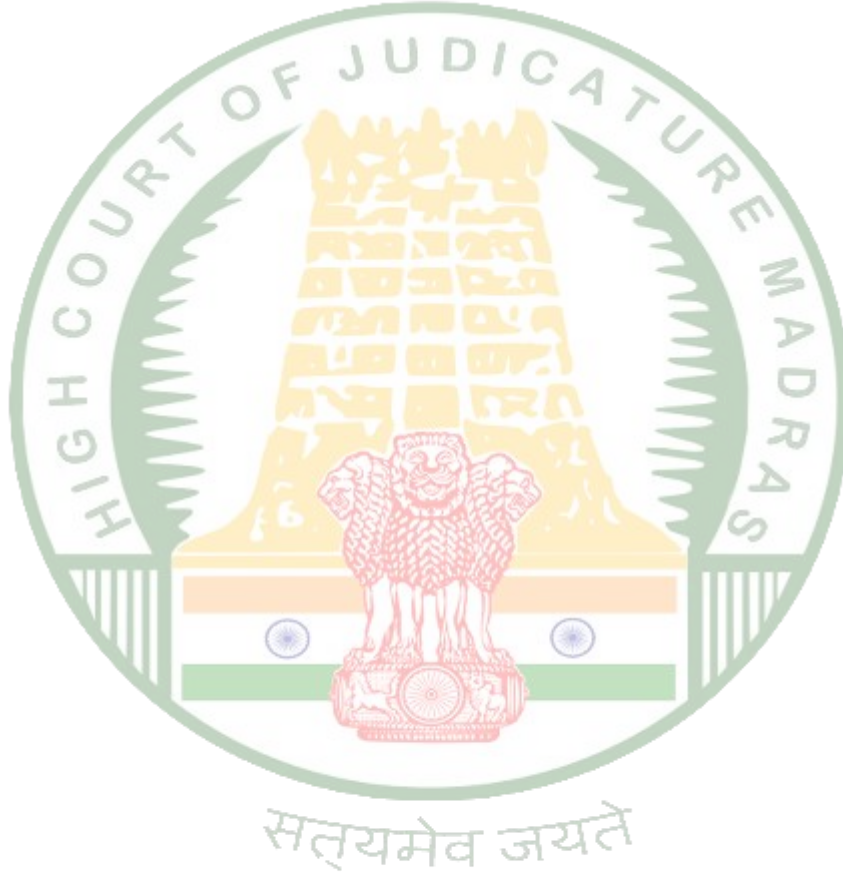
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To,

Mr.Sharath Chandran,
Advocate,
No.3, Gopal Menon Street,
Vepery,

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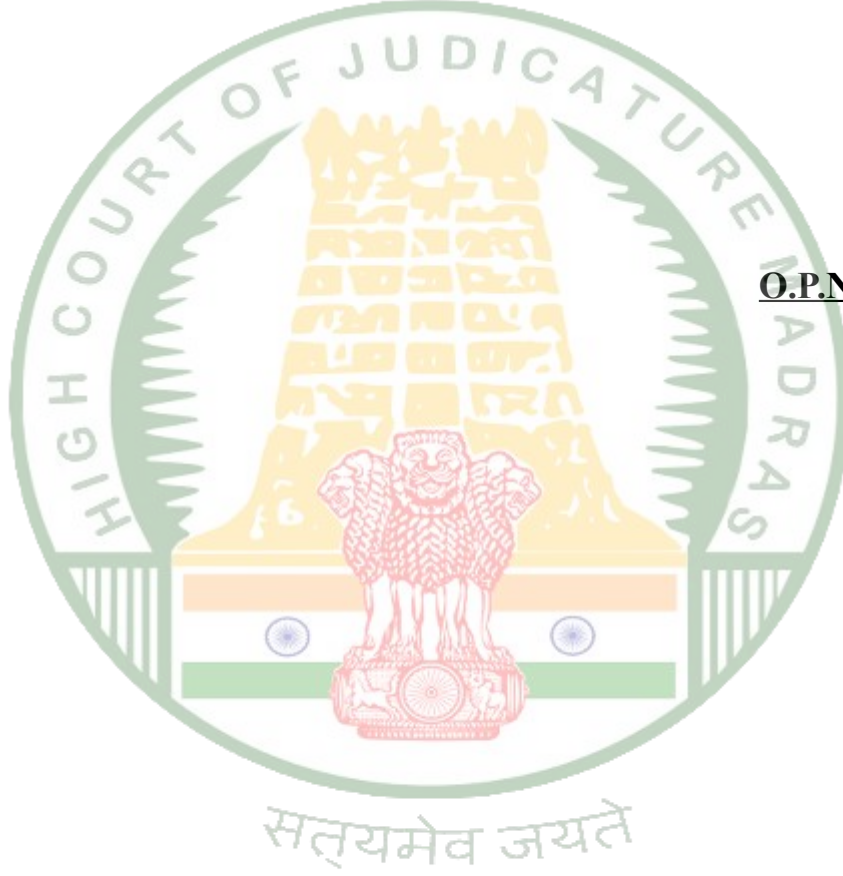
Chennai – 600 007.
Mobile No.9884445442



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N. SATHISH KUMAR, J.
VRC



order in:

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28.06.2021

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