

THE HIGH COURT OF JUDICATURE AT MADRAS

Date 02.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No.365 of 2021 & A.No.1529 of 2020

M/s.Galada Finance Ltd.,
Rep. by its Manager, Mr.G.Ramesh
Having registered Office at
'Shanthi Sadan' Old No.4, New No.7,
Shafee Mohammed Road, Thousand Lights,
Chennai – 600 006.

... Petitioner

Versus

1. Mr.A.Rajender
2. Mrs.B.Bharathy
3. Mr.K.Ganesh

... Respondents

PRAYER : Petition filed under Order Section 11 [4] [5] of Arbitration and Conciliation Act, 1996 to appoint an arbitrator to redress the disputes between the petitioner and the respondents herein as per the terms of the Hire Purchase Agreement date 13.12.2010, under the Arbitration and Conciliation Act, 1996.

For petitioner : Ms.Vijalakshmi

For respondents : Ms.Nisha
for Mr.S.Ramajayam

No appearance – R1 & R2

ORDER

This application has been filed for appointment of a fresh arbitrator in a dispute arose between the parties in respect of a Hire Purchase Agreement on 13.12.2010. The award passed by the previous arbitrator has been set aside by this Court.

2. The parties are governed by the clauses in the agreement and clause 15 of agreement provides for reference of the dispute to the arbitrator.

3. Accordingly, with the consent of both sides, it is ordered as follows:

i) that Mr.S.Arjun Suresh, Advocate, residing at New No.54, 3rd Main Road, Gandhi Nagar, Adyar, Chennai – 600 020, Mobile No.9789971118 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 fix his fees and other incidental charges 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. As far as the application in A.No.1529 of 2020 filed under section 9 of the Arbitration and Conciliation Act is concerned, since an arbitrator has been appointed in the Original Petition, the applicant can move before the arbitrator for any interim relief under section 17 of the Arbitration and Conciliation Act, no further Order is required in this applicant and the application is closed.

02.09.2021

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

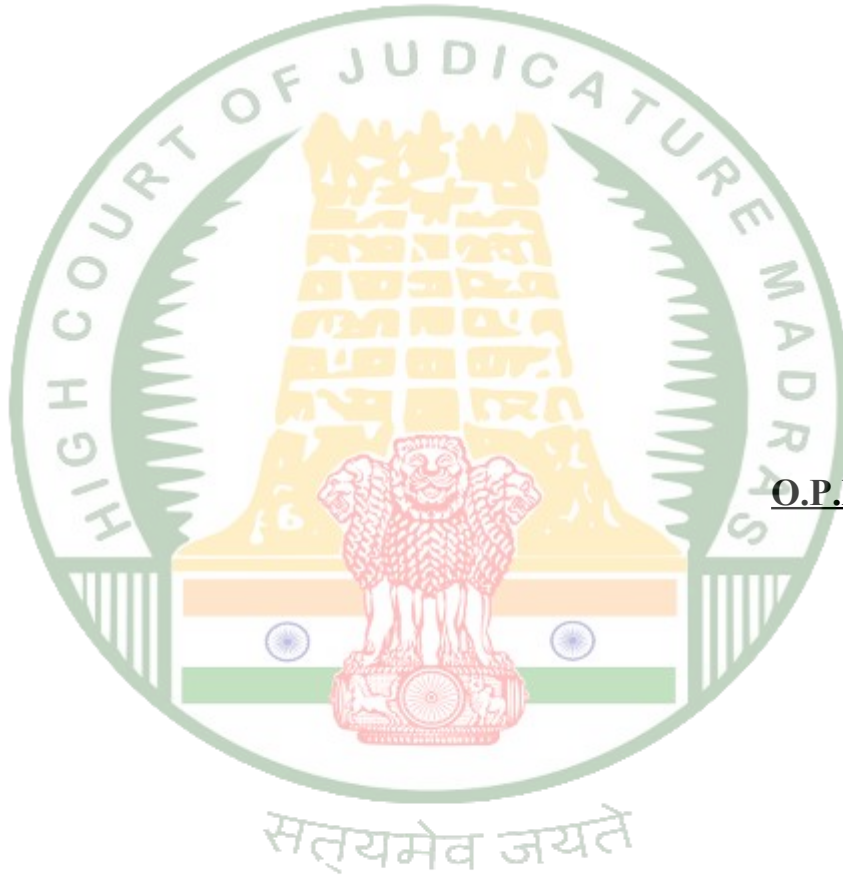
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To
Mr.S.Arjun Suresh,
Advocate,
New No.54, 3rd Main Road,
Gandhi Nagar, Adyar,
Chennai – 600 020.
Mobile No.9789971118

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N. SATHISH KUMAR, J.

VTC



order in:

O.P.No.365 of 2021

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