



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 14TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P. No.394 of 2021

In the matter of Section 11 of
Arbitration and Conciliation Act, 1996
AND

In the matter of Memorandum of
Understanding dated 30th November
2017 Between STC Skills and Binary
Talk Software Pvt. Ltd.

BINARY TALK SOFTWARE PVT. LTD.
114, 4th Floor, Kajubala Building
Veer Savarkar Block Shakarpur,
Delhi - 110 092

... Petitioner

-Versus-

STC SKILL (STC TECHNOLOGIES)
Kimbarley Towers, #Y-222, 3rd Floor,
2nd Avenue, Anna Nagar,
Chennai-600 040

... Respondent

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

a) Appoint a three member Arbitral Tribunal from the panel of
Arbitration of this Hon'ble court as per the provisions of Arbitration and
Conciliation Act, 1996.



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b) Adjudicate all disputes between the Petitioner and the Respondent.

c) Direct the Respondent to pay the cost of the Petition.

This Original Petition coming on this day before this court for hearing in the presence of Mr. Rizwan, for Anusha Peri, advocates for the petitioner herein and Mr. P. Suresh Babu, advocate for the respondent herein and upon reading the petition and the affidavit of Sugandh Virmani filed herein, it is ordered as follows:-

That Mr. C. Mohan, Advocate, King and Patridge, No.108, Armenian Street, Chennai 600 001. (Mobile No.9840029865) 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 fix his fees



and other incidental charges, and the same shall be borne by the parties equally.

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

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
14TH DAY OF JULY 2021.

Sd./-
ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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VF-23/07/2021

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O.P. No.394 of 2021

ORDER

DATED: 14.07.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 26/07/2021

APPROVED ON : 26/07/2021

COPY TO:

Mr. C. Mohan
Advocate,
Sole Arbitrator,
King and Patridge,
No.108, Armenian Street,
Chennai 600 001.

(Mobile No.9840029865)



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THE HIGH COURT OF JUDICATURE AT MADRAS

Date 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No.394 of 2021

M/s.Binary Talk Softward Pvt. Ltd.,
114, 4th Floor, Kajubala Building,
Veer Savarkar Block Shakarpur,
Delhi – 110 092.

. . . Petitioner

Versus

M/s.STC Skill [STC Technologies],
Kimbarley Towers, #Y-222, 3rd Floor,
2nd Avenue, Anna Nagar,
Chennai – 600 040.

. . . Respondent

PRAYER : Petition filed under Order Section 11 [6] of Arbitration and Conciliation Act, 1996 to appoint a three member arbitral tribunal from the panel of Arbitration of this Court as per the provisions of Arbitration and Conciliation Act, 1996 and to adjudicate all disputes between the petitioner and the respondent and for costs.

For petitioner : Mr.Rizwan
for Ms.Anusha Peri

For respondent : Mr.P.Suresh Babu

ORDER

This application has been filed for appointment of an arbitrator in a



entered between them on 30.11.2017.

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2. The parties have entered into a memorandum of understanding dated 30.11.2017. Now it appears that dispute appears to have arose with regard to making of payment. As per Clause 17 of the Memorandum understanding, they have agreed to refer the dispute for arbitration.

3. Notice of invocation of arbitration has been sent to the respondent. As the parties are bound by the contract, the matter has to be referred to a sole arbitrator.

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

i) that Mr.C.Mohan, Advocate, King and Patridge, No.108, Armenian Street, Chennai- 600 001. Mobile No.9840029865 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



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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.

5. This Original application is ordered accordingly, leaving the parties to bear their own costs.

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

14/07/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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