IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2021

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

A.No.3099 of 2020

Vikas Kumar ... Applicant

-Vs-

My Preferred Transformation
& Hospitality Pvt. Limited,
Formaerly known as
Alcott Town Planners Private Limited,
office at 9th Floor, Spaze Palazo,
Sector 69, Periphery Road,
Gurgaon, Haryana – 122 018.

Presently having Office at:
My Preferred Transformation & Hospitality Pvt. Limited,
3rd Floor, Orchid Centre, Sector 53,
Golf Course Road, Village Haiderpurviran,
Gurugram, Haryana – 122 002. ... Respondent

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Prayer : Application filed under Order XIV Rule 8 O.S. Rules r/w Section 9 of Arbitration and Conciliation Act, 1996 to grant an order directing the

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respondent to furnish security for the outstanding amount of Rs.62,84,824/- (Rupees Sixty two lakhs eighty four thousand and eight hundred twenty four only) pending the hearing and final disposal of the Arbitration proceedings along with cost.

For Applicant : Mr. Arun C. Mohan
For Respondent : Mr. Abishek Jenesenan

O R D E R

The above application has been filed to grant an order directing the respondent to furnish security for the outstanding amount of Rs.62,84,824/- (Rupees Sixty Two Lakhs Eighty Four Thousand and Eight Hundred Twenty Four only) pending the hearing and final disposal of the Arbitration proceedings along with cost.

2. Both the learned counsels have agreed that an Arbitrator be appointed in the matter. Therefore, Mrs. Chitra Sampath, learned Senior counsel, residing at Door No.14/1, Kamatchipuram, 1st Street, West Mambalam, Chennai – 33, Mobile No: 9962085956, is appointed as an

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Arbitrator and the application is closed. Giving liberty to the applicant to move the Arbitral Tribunal as soon as the learned Arbitrator enter reference.

3. Accordingly, it is ordered as follows:

(i) Mrs. Chitra Sampath, learned Senior counsel, residing at Door No.14/1, Kamatchipuram, 1st Street, West Mambalam, Chennai – 33, Mobile No: 9962085956, is appointed as an Arbitrator to enter upon reference and adjudicate the disputes inter se the parties.

(ii) The learned Arbitrator may, 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. It is open to the respondent to raise all legal objections as to the validity of contract.

(iii) The learned Arbitrator is at liberty to fix her remuneration and other incidental expenses as per law.

(iv) The proceedings may be conducted under the aegis of the Madras High Court Arbitration Centre and in accordance with the Madras High Court Arbitration Rules.

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P.T.ASHA, J.

4. The application is, accordingly, closed, leaving the parties to bear their own costs.

29.01.2021

AT
Index : Yes/No
Speaking order/non-speaking order

Copy to
Mrs. Chitra Sampath, Senior counsel,
No.14/1, Kamatchipuram, 1st Street,
West Mambalam, Chennai – 33.
Mobile No: 9962085956

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