

THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 24.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No. 993 of 2019

Mr.S.C.Pandian . . . Petitioner

Versus

Mr.N.Gururajan . . . Respondent

PRAYER : Petition filed under Sections 14 [5] of the Arbitration and Conciliation Act, 1996 to appoint a sole arbitrator to hear and decide the dispute between the parties arising out of the Memorandum of Understanding Cum Sale Agreement dated 31.10.2007.

For Petitioner : Mr.Mayan H. Jain

For Respondent : Mr.A.K.Sriram

सत्यमेव जयते

ORDER

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The learned arbitrator Mr.P.Ganesan, appointed by this Court has sent a letter expressing his inability to continue the proceedings due to his ailment, particularly, nervous problem and requested this Court to change

the arbitrator.

2. The learned Counsel for the petitioner suggested for appointment of Mr.V.Balaji, Advocate, as an arbitrator. Whereas, the learned counsel for the respondent seeks appointment of the Senior Counsel Mr.C.Manishankar as an arbitrator to complete the proceedings.

3. Admittedly, evidence is over before the erstwhile arbitrator and the case is pending for passing of final award.

4. In such view of the matter, taking note of the dispute between the parties, Mr.C.Manishankar, Senior Advocate, No.11, 2nd Main Road, Kottur Garden, Kotturpuram, Chennai – 600 085. Mobile No.9840335115 is appointed as a Sole Arbitrator to enter upon reference and adjudicate the matter.

5. 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.

6. Taking note of the fact that most of the pleadings and evidence has already been completed, the learned Senior Counsel shall fix his fees and other incidental charges and the same shall be borne by the parties equally.

7. Learned Retired District Judge is requested to return all the papers to Senior Counsel Mr.C.Manishankar.

8. Arbitration proceedings shall be commenced from the stage where left by the presiding Arbitrator and it should be completed within a period of six months.

vrc

To

1. Mr.C.Manishankar,
Senior Advocate,
No.11, 2nd Main Road,
Kottur Garden,
Kotturpuram,
Chennai – 600 085.
Mobile No.9840335115
2. Mr.P.Ganesan,
District Judge [Retd.],
No.778, Judges Colony,
Kakithapuram, 4th Street,
S.Kolathur, Kovilambakkam,
Chennai – 600 117.
Mobile No.96000 45571



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N. SATHISH KUMAR, J.

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