

IN THE HIGH COURT OF ORISSA AT CUTTACK
ARBP Nos.40, 41, 42 and 43 of 2021

M/s. Affinique Tech

....

Petitioner

Mr. A. Satapathy, Advocate

-versus-

***M/s. Maithan Ispat Limited (MESCO
Unit-2) and Another***

.... ***Opposite Parties***

None

**CORAM:
THE CHIEF JUSTICE**

Order No.

**ORDER
28.01.2022**

05. 1. The present petitions under Section 11 of the Arbitration and Conciliation (Amendment) Act, 2015 ('Act') seek the appointment of an Arbitrator to adjudicate the disputes between the Petitioner and the Opposite Party arising out of service order dated 25th April, 2018 bearing "*Purchase Order No.3600000709 with scope of work for '60 TPH AFBC Boiler Sparger Hopper Modification'; Purchase Order No.3600000882 dated 15th June, 2018 with scope of the work for modification of the 'replacement of steam line isolation valve'; Purchase Order No.3600000777 dated 10th May, 2018 with scope of the work for modification of the 'AFBC Boiler overhauling and replacement of bed coil' and Purchase Order No.3600000778 dated 11th May, 2018 with scope of the work for modification of the 'AFBC Boiler Economizer coil replacement'*".
2. It is seen that despite service of notice, none appears for Opposite Party No.1. At the request of learned counsel for the Petitioner, the name of Opposite Party No.2 is deleted from array of the parties. Learned counsel for the Petitioner points out that the

total claim excluding interest in all these cases is around Rs.52.00 lakh.

3. The Court accordingly appoints **Shri K.M.H. Niamati**, learned Advocate of this Court as the sole Arbitrator to adjudicate the disputes between the parties. The arbitration shall take place under the aegis of the High Court of Orissa, Arbitration Centre.

4. The arbitration petitions are disposed of accordingly. A copy of this order be communicated to the learned Arbitrator forthwith.

5. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March 2020, modified by Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Dr. S. Muralidhar)
Chief Justice