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Arb.O.P.(Comm.Div.) Nos.429, 433, 441, 442 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2022

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Arb.O.P.(Comm.Div.) Nos.429, 433, 441, 442 of 2022

M/s.Shriram City Union Finance Limited,
A Company having its Branch Office at:
No.12, Ramaswamy Street, T.Nagar,
Chennai - 600 017, rep. by its Authorized
Signatory, Ms.Navinaa P.N.

... Petitioner in all petitions

VS.

1.M/s.Marg Limited,
having its Registered Office at "Marg Axis",
No.4/318, Rajiv Gandhi Salai, Kottivakkam,
Chennai 600 041.

Also at: "Marg Axis",
"Sri Sai Subodhaya Apartments",
Basement No.57/2B, East Coast Road,
Thiruvanmiyur, Chennai 600 041.

2.M/s.Marg Capital Markets Limited,
having its Registered Office at "Marg Axis",
No.4/318, Rajiv Gandhi Salai,
Kottivakkam, Chennai 600 041.

Also at: "Marg Axis",
"Sri Sai Subodhaya Apartments",



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Basement No.57/2B, East Coast Road,
Thiruvanmiyur, Chennai 600 041.

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3.M/s.Global Infoserv Limited,
having its Registered Office at
"Sri Sai Subodhaya Apartments",
Basement No.57/2B, East Coast Road,
Thiruvanmiyur, Chennai 600 041.

4.Mr.G.Ramakrishna Reddy,
Son of Mr.Gorrepati Raghava Reddy,
New No.2, Old No.23, 1st Cross Street,
Shastri Nagar, Adyar, Chennai 600 020.

Also at:

"Sri Sai Subodhaya Apartments",
Basement No.57/2B, East Coast Road,
Thiruvanmiyur, Chennai 600 041.

... Respondents in all petitions

COMMON PRAYER: Arbitration Original Petition filed under Section 15(2) of the Arbitration and Conciliation Act, 1996, pleased to substitute and appoint any fit and competent person as an Arbitrator as per the provisions of the Arbitration and Conciliation Act 1996, so as to adjudicate the claim and the dispute between the petitioner and the respondents under the Loan agreement dated 29.12.2010.



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For Petitioner : Mr.R.Umashankar
in all petitions

For Respondents : Ms.Abitha Banu
in all petitions for Ms.K.Pavithra

COMMON ORDER

These petitions are filed to substitute the arbitrator on account of his
recusal.

2. Learned counsel for the petitioner submits that an arbitral tribunal
was constituted. Thereafter, by communication dated 22.03.2022, the
learned arbitrator informed the parties that he is unable to continue in the
matter. The present petitions are filed in those circumstances.

3. The respondents are represented by counsel. On instructions,
learned counsel states that the respondents are agreeable to the substitution
of the earlier arbitrator by the Court. The parties are unable to agree on the
substitute arbitrator. Since the parties are common in these petitions, the
appointment of a common arbitrator would be appropriate.



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SENTHILKUMAR RAMAMOORTHY,J

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4. Accordingly, Arb.O.P.(Comm.Div.) Nos.429, 433, 441, 442 of 2022 are allowed by appointing Ms.Chitra Narayan, Advocate, Mobile No.9094031934, as the sole arbitrator. The sole arbitrator is called upon to enter upon reference in each of these matters instead of the earlier arbitrator and proceed with the arbitral proceedings from the stage at which the former arbitrator recused. The fees and expenses in relation to the arbitral proceedings may be fixed by the arbitral tribunal in consultation with the parties. The former arbitrator is directed to hand over the records of the arbitral proceedings to the arbitrator appointed under this order.

02.11.2022

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Index : Yes / No

Internet : Yes / No

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