



O.A.No.281 of 2023

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ABDUL QUDDHOSE, J.

M/s.P.C.S. Transports,
Rep. by its Managing Partner P. Chandrasekaran,
Opp. Murugan Kovil,
1A, Mayampillaiyar Kovil Road,
Salem Road, Namakkal – 637 001.

... Applicant

Vs.

1.M/s.Indian Oil Corporation Limited,
Rep. by Chief General Manager,
Operations Department,
Tamil Nadu State Office,
Indian Oil Bhavan,
139, Uthamar Gandhi Road (Nungambakkam High Road)
Chennai – 600 034.

2.The Operations Officer (Terminal),
M/s.Indian Oil Corporation Limited,
Asanur Terminal,
Sy No.365/4(Part), SIDCO Industrial Estate,
Asanur Village,
Ulundurpet Taluk,
Kallakurichi – 606 305.

... Respondents

Both the counsels, on instructions from their clients, have made an endorsement in the Court bundle, agreeing for arbitration by an Arbitrator appointed by this Court.



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2. The learned counsel for the applicant, on instructions, is not pressing this application. However, he seeks liberty for the applicant to file an application under Section 17 of the Arbitration and Conciliation Act, before the Arbitral Tribunal, seeking for the very same relief that has been sought for in this application.

3. After recording the endorsement made by both the counsels, this Original Application is disposed of, by issuing the following directions:-

(a) This Court appoints Mr. Justin David, Retired District Judge, having Office at Oak, B1, Maple Orchard, Ben Foundation, Padikuppam Road, Anna Nagar West, Chennai, Mobile No.9443551078, as the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondents arising out of the Agreement dated 10.01.2023, on merits and in accordance with law.

(b) The Arbitrator shall be paid his remuneration/fees in accordance with the IV Schedule of the Arbitration and Conciliation Act, 1996.



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(c) Both the parties shall equally share the Arbitrator's fees.

(d) The Arbitrator shall conduct the arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 and shall complete the arbitration within the specified time as prescribed under the said Act.

(e) Liberty is granted to the applicant to file Section 17 application for a similar relief.

01.09.2023

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