



**O.A.Nos.638 to 640 of 2023**

**C.SARAVANAN, J.**

WEB COPY

It is informed by the learned Senior Counsel for the applicant and the learned counsel for the respondents that the dispute can be resolved through Arbitration in terms of the Arbitration Clause No.35 of LLP Agreement dated 01.04.2021 between the applicant and 1<sup>st</sup> respondent. Clause No.35 of LLP Agreement dated 01.04.2021 reads as under:

***“35.ARBITRATION:-***

*All disputes arising between the Partners, legal representatives of the partners or between the Partner and the LLP arising out of the LLP Agreement which cannot be resolved in terms of this Agreement shall be referred for arbitration as per the provisions of the Arbitration and Conciliation Act, 1996.”*

2.Mr.Aravind Pandian, learned Senior Counsel appears on behalf of M/s. Casa Grande Coimbatore LLP, which is not a party to the proceeding.

3.By consent, learned Senior Counsel for the applicant and the learned counsel for the respondents and the learned Senior Counsel for



said M/s. Casa Grande Coimbatore LLP, disputes are directed to be resolved in terms of clause No.35 of the LLP Agreement dated 01.04.2021 between the applicant and 1<sup>st</sup> respondent.

4.In view of the above, Court appoints

i) Mr.R.Yashod Vardhan, Senior Advocate, residing at No.135, 3<sup>rd</sup> Floor, Linghi Chetty Street, Parrys, Chennai – 600 001, as the sole arbitrator to enter upon reference and adjudicate the *inter se* disputes of the parties arising out of LLP agreement dated 01.04.2021.

ii) 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 twelve (12) months from the date of receipt of the Order.

iii) The learned Sole Arbitrator appointed herein shall be paid fees and other incidental charges, fixed by him and the same shall be borne by the parties equally. In the event of non-appearance of the respondent, the petitioner shall bear the entire remuneration and other expenses and thereafter recover the same directly from the respondent.



O.A.Nos.638 to 640 of 2023

WEB COPY

5.In view of the above, O.A.Nos.638 to 640 of 2023 are closed.

However, it is open for the parties to workout their remedy for any interim measure before the learned Arbitrator under Section 17of the Arbitration and Conciliation Act, 1996.

**03.10.2023**

krk

Index : Yes / No

Internet : Yes / No



WEB COPY



O.A.Nos.638 to 640 of 2023

**C.SARAVANAN, J.**

krk

**O.A.Nos.638 to 640 of 2023**

03.10.2023