



A.No.723 of 2024

Application No.723 of 2024

WEB COPY

C.SARAVANAN, J.

This application has been filed under Section 27 of the Arbitration and Conciliation Act, 1996 for issuance of summon to one Mr.Salim Pasha to give evidence in the arbitral proceedings which is pending before the learned Arbitrator. The learned Arbitrator has also passed an order dated 04.12.2023 granting leave to move this petition/application for seeking assistance to summon one Mr.Salim Pasha.

2. The learned counsel for the respondent has filed a counter.

Paragraph No.9 of the counter which has been stated as follows:-

“9.Without prejudice to my contentions raised in the counter statement along with the counter claim and counter affidavit filed against Section 27 Application before the Arbitral Tribunal, this application to issue summons to Mr.Salim Pasha may kindly be ordered. But my only prayer is that the main Arbitration case posted before the Hon'ble Mr.Justice N.Kirubakaran (Retired) on 27.02.2024 for further course of action i.e,



A.No.723 of 2024

to examine Mr.Salim Pasha as the witness of the Claimant. Hence it is humbly prayed that this Court may be pleased to direct the applicant to make sure that Mr.Salim Pasha attends the enquiry on 27.02.2024 before the learned Arbitrator without any excuse.”

3. In view of the above, this application for issuing of summon to Mr.Salim Pasha stands allowed.

4. Registry is directed to issue special summon to Mr.Salim Pasha to be present before the High Court Annexed Mediation Centre on 27.02.2024. The applicant is directed to pay necessary charges before the Registry for effecting subject summon on Mr.Salim Pasha.

5. Therefore, this application stands allowed.

15.02.2024

jas



WEB COPY



A.No.723 of 2024

C.SARAVANAN, J.

jas

A.No.723 of 2024

15.02.2024