



A.No.1150 of 2024

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C.SARAVANAN, J.

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This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Section 27 of the Arbitration and Conciliation Act, 1996 and Section 151 of the Code of Civil Procedure, 1908, praying for issuance of summons to Mr.P.Srihari, whose details are morefully set out in the Schedule to the Judge's Summons by directing him to appear before the Arbitral Tribunal comprising of Hon'ble Mr.Justice.K.Ravichandra Babu (Retd.), Former Judge of Madras High Court as the Sole Arbitrator on 03.04.2024 and on such other dates as may be fixed by the Hon'ble Arbitral Tribunal to give evidence and produce such documents before the Hon'ble Arbitral Tribunal as may be necessary for the adjudication of the disputes between the parties.

2. Mr.P.Srihari, a Handwriting Expert has given Ex.C14-Report dated 15.11.2022 bearing Reference File No.TLC/QD/081/2022 and Ex.C15-Report dated 14.07.2023 bearing Reference File No.TLC/QD/037/2023 before the learned Arbitrator.



A.No.1150 of 2024

3. This application has been filed by the applicant, who is the claimant before the learned Arbitrator after obtaining leave of the learned Arbitrator, who has minuted the same in the tenth sitting held on 14.02.2024 at 2.30 p.m.

4. When this case was taken up for hearing on 29.02.2024, Mr.P.Govindarajan, learned counsel had entered appearance and undertook to file vakalat and counter affidavit on behalf of the respondent.

5. Today also, there is a request for adjournment on behalf of the respondent (for filing of counter affidavit).

6. The rules framed by this Court as also few decisions rendered by this Court indicates that once an application has been filed after leave has been obtained from the learned Arbitrator, the Court has to merely allow the application and there is no scope for an enquiry.

7. As such, I do not find any reasons to delay the disposal of the present application for issuance of summons to Mr.P.Srihari, to give



A.No.1150 of 2024

evidence on behalf of the applicant/claimant in respect of the Reports marked as Ex.C14 and Ex.C15.

8. Further, the arbitral proceedings are to be completed in a time bound manner and therefore on this count also, I find no reasons to delay in passing order by allowing this application.

9. Accordingly, this application stands allowed.

10. Registry is directed to issue necessary summons to Mr.P.Srihari, to give evidence on behalf of the applicant/claimant in respect of the Reports marked as Ex.C14 and Ex.C15 before the learned Arbitrator.

07.03.2024

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