



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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RESERVED ON 21.08.2024	PRONOUNCED ON 09.09.2024
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CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU
Arb.O.P.(Comm.Div.) No.153 of 2024

M/s.Nimbark Fashions Limited
Represented by its authorised Signatory,
Nageswaran,
Having their registered Office
at No.1006, Windfall, Sahar Plaza,
J.B.Nagar, Andheri Kurla Road,
Andheri East,
Mumbai – 400 059.

... Petitioner

-VS-

M/s.Soundaraja Mills Limited,
Represented by its Managing Director,
Krian Ranjit,
Having its registered office and administration office
Soundaraja Buildings,
G.T.N.Salai,
Dindigul – 624 005

... Respondent

PRAYER: Arbitration Original Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking for following prayer:-

(a) To appoint an Arbitrator for the purpose of adjudicating upon the disputes which has arisen between the petitioner and respondent, pursuant to the Buy Back agreement between the petitioner and the respondent dated 01.07.2021.

(b) Award cost of this application and



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(c) Such other orders or relief

For Petitioner : Mr.R.Prabhakaran

For Respondent : Mr.T.Gowthaman

Senior Counsel

for Mr.R.Swarnavel

ORDER

This Arbitration Original Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter called as 'the Act') to appoint an Arbitrator to adjudicate upon disputes/differences between the Petitioner and the Respondent and direct the Respondent to pay the costs of this proceeding.

2. When the petition was taken up for hearing, both the learned counsels have consented for appointment of a Sole Arbitrator by this Court and they have requested this Court to appoint a retired District Judge as Arbitrator. In such circumstances, this Court appoints **Mr.V.Siva Subramanian, Retired District Judge residing at 1/39, Judges Avenue, Y.Pudupatti, Arumbanur (PO), Madurai East (TK), Madurai – 625 104** as Sole Arbitrator to enter upon the dispute between the petitioner and the respondent.

3. The learned Sole Arbitrator is entitled to fix his fees as per the Schedule-IV to the Act. This Court further requests the learned Sole



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Arbitrator to endeavour to decide the dispute as expeditiously as possible, however, not later than six (6) months from the date of his entering into reference.

4. Accordingly, this Arbitration Original Petition is ordered.

09.09.2024

Index :Yes/No

Speaking Order/Non Speaking Order

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K.KUMARESH BABU, J.

Gba

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