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Arb.O.P (Com.Div.) No.204 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

Arb.O.P (Com.Div.) No.204 of 2024

A.Babu

...Petitioner

-VS-

R.Boovarahan

...Respondent

PRAYER: Arbitration Original Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to constitute Single Member Arbitral Tribunal to adjudicate /resolve /arbitrate the dispute between the parties in accordance with the provisions of Section 11(6) of the Arbitration and Conciliation Act, 1996 and direct the respondent to pay costs.

For Petitioner : Mr.R.Raghavendran

For Respondent : Mr. M.Jaikumar



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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 in respect of the dispute that has arisen out of the agreement dated 15.05.2019 that had been entered upon between the petitioner and the respondent.

2. It is submitted by both the learned counsel appearing on either side that originally the suit in O.S. No. 30 of 2021 has been filed by the petitioner herein in which the respondent taken out an application under Section 8 of the Act in I.A. No. 1 of 2021 and by decretal order dated 30.09.2022, the learned Trial Court had returned the plaint with liberty to the parties to seek remedy under the provisions of the Act. Both the learned counsels also have consented for appointment of a Sole Arbitrator by this Court and they have requested this Court to appoint an Advocate as Arbitrator. In such circumstances, this Court appoints Mr. Ponram Rajaa, having office at Madras Bar Association, High Court Building (First Floor), High Court, Chennai - 600104 as Sole Arbitrator



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to enter upon the dispute between the petitioner and the respondent.

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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 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.

08.08.2024

Index :Yes/No

Maya



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K.KUMARESH BABU, J.

Maya

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