



Arb.O.P(COM.DIV).No.451 of 2024

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WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2024

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Arb O.P(COM.DIV.) NO. 451 of 2024

Viskan Logistics Services Private Limited
Rep By Its Managing Director Mr.Viswam
Subra Manimaran,No 2, 3rd And 4th Floor 1st
Main Road,Muneshwara Block Mahalakshmi
Layout,Bangalore-560086

Appellant(s)

Vs

The General Manager Southern Railway
Chennai-600003 and 2 Others

Respondent(s)

PRAYER: Arbitration Original Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint a Retired High Court Judge as Arbitrator to resolve the dispute arising out of the agreement dated 26.03.2021, between the petitioner and the respondents.

For Appellant(s):

M/s.M.Santhana Raman

For Respondent(s):

Dr.G.Babu



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ORDER

This Arbitration Original Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, to appoint a Retired High Court Judge as Arbitrator to resolve the dispute arising out of the agreement dated 26.03.2021, between the petitioner and the respondents.

2.Both the learned counsel for the petitioner as well as the respondents suggest **Mr.V.Bharathidasan, learned Judge (Retd)** of this Court as sole arbitrator.

3.On going through the averments in the petition and also the supporting documents, it is clear that the parties have agreed to resort to arbitration proceedings in the event of any disputes arising between them. Hence, there is no impediment for appointment of arbitrator as prayed for by the learned counsel for the petitioner.

4.The present Original Petition has been filed under Section 11 for appointment of the sole Arbitrator invoking the above referred Clause



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31 in the assignment agreement. Accordingly, this Court is inclined to appoint a sole Arbitrator viz, this Court appoints **Mr.V.Bharathidasan, learned Judge (Retd)** of this Court, **No.22, (L.45), 2nd Main Road, Kamaraj Nagar, Thiruvannamipur, Chennai - 600 041, Mobile No. 94443 83139, 94455 00224**, as sole Arbitrator to go into the disputes between the parties and attempt to amicably resolve the same. The sole Arbitrator is directed to enter upon reference and adjudicate the dispute in accordance with law.

5. The learned Arbitrator is entitled to fix his fees as per the Schedule-IV to the Act. This Court further requests the learned Arbitrator to endeavor to decide the dispute as expeditiously as possible, however, not later than six (6) months from the date of his entering into reference.

6. Accordingly, this Arbitration Original Petition is allowed.

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To

1. The General Manager Southern Railway
Chennai-600003

2. The Senior Divisional Commercial Manager
The Senior Divisional Commercial Manager, Southern Railway, Salem-
636005

3. The Senior Divisional Finance Manager
The Senior Divisional Finance Manager, Southern Railway, Divisional
Office, Commercial Branch, Salem-636005



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P.B.BALAJI,J.,

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