



Arb.Appln.No.647 of 2023

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and
Application No.6805 of 2023

C.SARAVANAN, J.

This Arbitration Application is disposed of after recording the consent of the learned Senior Counsel appeared for the respondent appointing **Hon'ble Mr.Justice V.Bharathidasan, Retired Judge of this Court, (Mobile No.9444383139)** residing at **No.22, (L-45), 2nd Main Road, Kamaraj Nagar, Thiruvanmiyur, Chennai – 600 041**, as the sole arbitrator to resolve the dispute between the parties pursuant to order passed by this Court dated 13.12.2023 as modified by an order dated 21.12.2023.

2. The learned Arbitrator appointed herein, shall after issuing notice to the parties and upon hearing them, endeavour to complete the arbitral proceedings and pass an award strictly in accordance with the provisions of the Arbitration and Conciliation Act, 1996, as



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expeditiously as possible, preferably within a period of twelve months after the date of completion of pleadings under Sub-Section 4 to Section 23 as is contemplated in Section 29-A of the Arbitration and Conciliation Act, 1996, without getting influenced by any of the observations made by this Court in this order.

3. The learned Arbitrator appointed herein shall be paid fees and other incidental charges as may be fixed with the consent of parties or in accordance with the provisions of the Arbitration and Conciliation Act, 1996, and the same shall be borne by the parties equally. In case, the respondents remain *ex parte*, the petitioner shall pay the entire fee and other incidental charges to the Arbitrator and later recover the same from the respondents.

4. The applicant had deposited a sum of Rs.25,00,000/- to the credit of the above application. This amount is directed to be paid directly to the respondents. The applicant shall pay the admitted



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liability towards 1.60 crores towards O&M charges as on date within a period of six weeks from the date of receipt of a copy of this order.

5. The rest of the relief, if any, is permitted to be worked out before the learned Arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996. In case, the amount is not paid within the period stipulated by this order, it is open for the learned arbitrator to pass an appropriate orders on merits and in accordance with law.

6. The parties are at liberty to workout the venue for Arbitration at Chennai.

7. The Arbitration Application is disposed of with the above observations. Consequently, connected application is also closed.

12.02.2024

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