



Arb.O.P (Com.Div.) No. 34 of 2025

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ABDUL QUDDHOSE, J.

Leela R

...Petitioner

vs.

M/s.Cheran Properties Limited, Coimbatore.

...Respondent

For petitioner : Mr.Akbar Badusha

This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking for appointment of an arbitrator.

2. There seems to be a dispute between the petitioner and the respondent arising out of the Appointment Letter, dated 09.08.2024 issued by the respondent in favour of the petitioner. So, the petitioner is an employee of the respondent. According to the petitioner, the respondent has committed the breach of Appointment Letter, dated 09.08.2024. There exists an arbitration clause in the Appointment Order dated 09.08.2024 and the same is extracted hereunder :-

*“23. **Dispute Resolution** The parties agree that any claim, dispute or difference relating to or arising out of this letter will be referred to the arbitration of the Nani Palkhivala Arbitration Centre currently functioning at New No.22, Karpagambal Nagar, Mylapore, Chennai –*



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600004, which will appoint the sole arbitrator and conduct the arbitration in accordance with its rules for conduct of arbitration proceedings then in force and applicable to the proceedings.

The parties agree that such arbitration will be the sole and exclusive remedy between the parties with respect to all such disputes. The seat and venue of arbitration will be Chennai, Tamil Nadu and the proceedings will be conducted in English. The arbitration award will be final and binding on the parties.”

3. The petitioner has already invoked arbitration in accordance with the arbitration clause by issuing notice to the respondent on 19.02.2025 to comply with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996. No reply has been received by the petitioner for the same. Since there is no consensus between the parties with regard to the name of the Arbitrator, this petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking for appointment of an Arbitrator.

4. Since there exists an arbitration clause in the Appointment Letter, which is the subject matter of the contract between the parties and since there is no consensus between the parties with regard to the name of the Arbitrator, this Court is issuing notice to the respondent,



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through Court as well as privately returnable by 07.08.2025.

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5. Post the matter on 07.08.2025.

14.07.2025

Maya



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Maya

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Dated : 14.07.2025