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Arb.O.P (Com.Div.) No.94 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2025

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THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

Arb.O.P (Com.Div.) No.94 of 2025

Tagros Chemicals India Private Limited

.. Petitioner

VS

United India Insurance Company Limited,
a Company incorporated under the Companies Act, 1956
and having its registered address at 24, Whites Road,
Royapettah, Chennai, Tamil Nadu -600 014 and
other address at Kirti Tower Tilak Road,
Podium Floor, In front of SSG Hospital,
Vadodara, Gujarat, India - 390 001.

.. Respondent

Prayer: Arbitration Original Petition (Commercial Division) filed under Section 11(6) read with Sections 14 and 15 of the Arbitration and Conciliation Act, 1996 to appoint Hon'ble Justice Ramesh D.Dhanuka (Retd.), Former Chief Justice, Bombay High Court or any other person as this Court may deem fit, proper and appropriate to act as the Sole Arbitrator to enter into the reference and arbitrate the disputes and differences that have arisen between the petitioner and the respondent.



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For Petitioner : Mr.Aparajitha Vishwanath

For Respondent : Ms.Rupika Srinivasan

ORDER

This petition has been filed under Section 15 of the Arbitration and Conciliation Act seeking for substitution of the Arbitrator.

2.Since the Arbitrator appointed by this Court earlier, i.e. Hon'ble Mr.Justice V.Ramasubramanian, Former Judge of the Supreme Court has now become the Chairman of the National Human Rights Commission, there became a necessity for the petitioner to file this petition seeking for substitution of the Arbitrator.

3.On the last hearing date i.e. 11.03.2025, this Court recorded the submissions made by both counsels that they are agreeable for the substitution of Hon'ble Mr.Justice Sanjay Kishan Kaul, Former Judge of Supreme Court to be the Sole Arbitrator in the place of the earlier Arbitrator.



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4.Both the counsels have reported that Hon'ble Mr.Justice Sanjay

Kishan Kaul, Former Judge of Supreme Court has expressed his unwillingness to be appointed as an Arbitrator in the subject matter of the dispute between the parties. Therefore, both the counsels would now submit that both the parties are now willing for appointment of Hon'ble Mrs.Justice Chitra Venkataraman, Former Judge of this Court to be the Arbitrator to adjudicate the dispute between the parties arising out of the Insurance Policy No.1814001119P103131495 dated 25.05.2019.

5.For the foregoing reasons, this Arbitration Original Petition is allowed by issuing the following directions:

(a)This Court appoints Hon'ble Mrs.Justice Chitra Venkataraman, Former Judge of this Court, having Office at Old No.17-B, New No.31, IV Main Road, Raja Annamalaipuram, Chennai - 600 028 (Mobile No.98409 90000) as the Sole Arbitrator to adjudicate the dispute arising out of the Insurance Policy No.1814001119P103131495 dated 25.05.2019, on merits and in accordance with law;

(b)The Arbitrator shall be paid her remuneration/fees in accordance with the 4th Schedule of the Arbitration and Conciliation Act, 1996;



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ABDUL QUDDHOSE, J.

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(c)Both the parties shall equally share the Arbitrator's fees;

(d)The Arbitrator shall conduct the arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 and shall complete the arbitration within the specified time as prescribed under the said Act.

No costs.

19.03.2025

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