



Arb.OP.(comdiv) No.118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2025

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THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

Arb.O.P.(Comm.Div.) No.118 of 2025

Fuso Glass India Pvt Ltd.,  
Chennai.

.. Petitioner

-VS-

Technoskil Engineers and Contractors Pvt Ltd.,  
Rep. By its Director,  
Edappally PO.,  
Ernakulam.

.. Respondent

Petition under Section 11 of the Arbitration and Conciliation Act, 1996, has been filed seeking to appoint an Arbitrator to resolve the dispute between the parties in terms of the invoices from 06.01.2018 to 07.02.2018.

For Petitioner : Mr.H.Siddarth

Respondent - set exparte



Arb.OP.(comdiv) No.118 of 2025

**ORDER**

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This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (in short “the Act”) seeking for appointment of an Arbitrator by this Court.

2. As directed by this Court on 12.06.2025, the petitioner has effected substituted service on the respondent by effecting paper publication. The learned counsel for the petitioner has filed an affidavit of service enclosing the paper publication. The name of the respondent is also printed in the cause list today. However, the respondent remains unrepresented. Hence, the respondent is set exparte by this Court.

3. There seems to be a dispute between the petitioner and the respondent arising out of various invoices raised by the petitioner on the respondent between 06.01.2018 and 07.02.2018. In all the invoices, there exist an arbitration clause and the same is extracted hereunder:-

“All disputes shall be subject to Arbitration.

There shall be sole Arbitrator nominated by  
FGIPL. Seat of Arbitration at Chennai.”



Arb.OP.(comdiv) No.118 of 2025

4. The petitioner has invoked arbitration in accordance with the arbitration clause by issuing notice to the respondent on 30.03.2024 to comply with the requirement of Section 21 of the Act. No reply has been received for the same. Therefore, the petitioner has filed this petition under Section 11 of the Act seeking for appointment of an Arbitrator by this Court.

5. Since there exist an arbitration clause in all the invoices, which are the subject matter of the dispute, and since the petitioner has invoked arbitration by issuing notice to the respondent on 30.03.2024 in compliance with Section 21 of the Act, and since the respondent is set exparte by this Court, this Court will have to appoint an Arbitrator. Accordingly, this petition is allowed with the following directions:-

(a) This Court hereby appoints Mr.J.Aditya Reddy, Advocate, having office at No.21/11, PS Sivasamy Salai, Mylapore, Chennai-4, (Mobile No.9884811101), as the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondent arising out the aforesaid invoices.



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Arb.OP.(comdiv) No.118 of 2025

(b) The Sole Arbitrator appointed by this Court shall be paid remuneration/fees as per the schedule agreed upon by the parties to the dispute.

(c) The Arbitrator shall adhere to the provisions of Arbitration and Conciliation Act, 1996.

(d) The Arbitrator shall also pass the arbitral award within the stipulated period as prescribed under the Arbitration and Conciliation Act, 1996.

**10.07.2025**

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Index:yes/no

Neutral citation: yes/no



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Arb.OP.(comdiv) No.118 of 2025

**ABDUL QUDDHOSE, J.**

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Arb.O.P.(Comm.Div.) No.118 of  
2025

10.07.2025