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Arb.O.P.(Com. Div.) No.227 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb.O.P.(Com. Div.) No.227 of 2025

M/s.Threpsi Solutions Pvt. Ltd.,
A Company incorporated under the Companies Act, 2013,
Rep. by its Authorised Signatory,
Mr. Aditya Bhandari,
No.217, 2nd Floor, Jhalwar Building, Patanwala Compd.
Nr. Shreyas,
Ghatkopar, Mumbai - 400 086.

having its registered office at:
1st Floor, E-Shape Building, Ashok Silk Mills Compound,
202, L.B.S. Marg, Ghatkopar (West), Mumbai,
Maharashtra - 400 086.

... Petitioner

Vs.

R. Senguttuvan

... Respondent

PRAYER: Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 to appoint an independent and impartial sole arbitrator under Clause X of agreement dated 20.08.2021 to adjudicate the disputes between the petitioner and the respondent arising out of and in connection with the agreement dated 20.08.2021 and to direct the respondent to pay the cost of this petition.

For Petitioner : Preethi Sivaraman

For Respondent : Abitha Banu

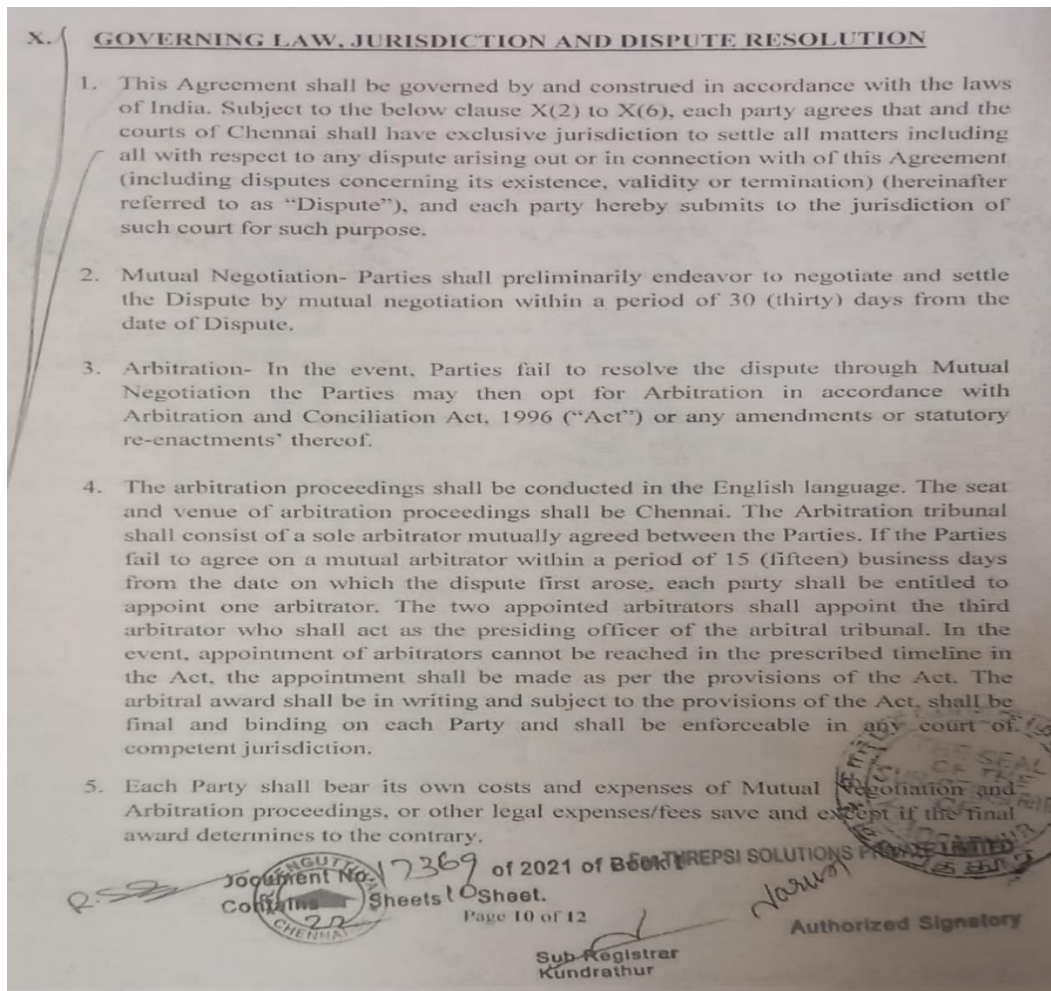


ORDER

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This petition has been filed under Section 11 of the Arbitration and Conciliation Act, seeking for appointment of an Arbitrator by this Court.

2. There seems to be a dispute between the petitioner and the respondent arising out of the leave and license agreement dated 20.08.2021. The leave and license agreement contains an arbitration clause, which is extracted hereunder:





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3. The petitioner has invoked arbitration in accordance with the arbitration clause by issuing notice to the respondent on 20.01.2025 to comply with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996. No reply has been received for the same.

4. Till date, counter has also not been filed by the respondent in this petition. On the last hearing date, i.e., on 03.07.2025, the learned counsel for the respondent sought for an adjournment on the ground that the respondent was making an attempt to settle the claim of the petitioner. Today, it has been informed that a sum of Rs.5,00,000/- has been paid by the respondent to the petitioner. But the said amount is not towards full and final settlement. Therefore, this Court will have to necessarily appoint an arbitrator as prayed for in this application. The learned counsel for the respondent has also not raised any serious objection for the same.

5. Accordingly, this Arbitration Original Petition is allowed as prayed for by issuing the following directions:



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(a) N.S. Sampath, Advocate, who is having address at No.33, Baskaran Street, Kodambakkam, Chennai - 600 024. (Mobile No.98411 59996) is appointed as the sole Arbitrator to decide the dispute between the petitioner and the respondent arising out of the leave and license agreement dated 20.08.2021;

(b) The Arbitrator shall be paid a remuneration / fees in accordance with the 4th schedule of the Arbitration and Conciliation Act, 1996 or as per the mutual consent of both the parties;

(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.

10.07.2025

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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ABDUL QUDDHOSE. J.,

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