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Arb.O.P (Com.Div.) No.304 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2025

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THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

Arb.O.P (Com.Div.) No.304 of 2025

M/s.MV Super Alloys Pvt. Limited

... Petitioner

Versus

Bharat Heavy Electricals Limited

... Respondent

Prayer: Arbitration Original Petition (Commercial Division) filed under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 to appoint a Sole Arbitrator to adjudicate all disputes interse the petitioner and the respondent in relation to and/or arising out of the Purchase Order dated 11.11.2021.

For Petitioner : Ms.Annie Mittal

For Respondent : Mr.S.Shyam Kumar

ORDER

Learned counsel for the respondent has made an endorsement in the court bundle stating no objection for the appointment of Hon'ble Mr.Justice K.Kannan, Former Judge of this Court and Punjab and Haryana High Court



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to be the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondent arising out of the Purchase Order dated 11.11.2021.

2.Since there exists an arbitration clause in the contract, which is the subject matter of the dispute between the parties and since the petitioner has complied with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996 and since the respondent has stated no objection for the appointment of Hon'ble Mr.Justice K.Kannan, Former Judge of this Court and Punjab and Haryana High Court to be the Sole Arbitrator, this Court will have to necessarily appoint and Arbitrator as prayed for in this petition.

3.Both the counsels have made a joint endorsement in the court bundle stating that the parties are agreeable for the appointment of Hon'ble Mr.Justice K.Kannan, Former Judge of this Court and Punjab and Haryana High Court as the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondent.



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4.For the foregoing reasons, this Arbitration Original Petition is

allowed by issuing the following directions:

(a)This Court appoints Hon'ble Mr.Justice K.Kannan, Former Judge of this Court and Punjab and Haryana High Court, having address at No.3/11, Lakshmi Colony, North Crescent Road, T.Nagar, Chennai - 600 017, Mobile No.97800 08145 as the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondent, arising out of the Purchase Order dated 11.11.2021, on merits and in accordance with law;

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

(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.

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ABDUL QUDDHOSE, J.
vga

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