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Arbitration Original Petition (Com.Div.) No.450 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Original Petition (Com.Div.) No.450 of 2025

FIVE STAR BUSINESS FINANCE LIMITED

represented by its Legal Officer

Mr.Madhu Sandhan Someswaran

Registered Office at New No.27,

Old No.4, Taylor's Road, Kilpauk,

Chennai - 600 010.

.... Petitioner

Vs.

1.Vitthal Eknath Bhujbal

2.Rukmini Vitthal Bhujbal

.... Respondents

Arbitration Original Petition (Com.Div.) filed under Section 11(5) of the Arbitration and Conciliation Act, 1996, praying to appoint an Arbitrator to decide the disputes and differences between the petitioner and respondents in terms of Loan Agreement dated 28.01.2024.

For Petitioner : Mr.S.Nataraj
for Mr.P.H.Vinodh Pandian



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For Respondents : No appearance

ORDER

This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] for appointment of an Arbitrator to decide the dispute and differences between the petitioner and the respondents in terms of the Loan Agreement dated 28.01.2024.

2. When the matter came up for hearing on 13.10.2025, this Court passed the following order:

“The private notice sent to the respondents have been returned with an endorsement “insufficient address”. It is seen that the private notice has been sent to the same address of the respondent as reflected in the agreement between the parties.

2. In view of the above, the learned counsel for the petitioner shall effect service through paper publication. The paper publication shall be effected in a widely circulated newspaper in the State of Maharashtra. The paper publication shall be effected on or before 27.10.2025. The notice to the



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respondents shall be returnable by 10.11.2025.

3. Post this case for hearing on 10.11.2025.”

3. Notice sent to the respondents was returned with an endorsement ‘insufficient address’ and hence, this Court, by order dated 13.10.2025, directed learned counsel for petitioner to effect service on respondents through paper publication. Accordingly, paper publication has been effected and affidavit of service has been filed and the names of respondents have also been printed in the cause list. There is no appearance either in person or through counsel. This Court finds that there is a valid agreement between the parties in line with Section 7 of the Act. The agreement also provides for arbitration clause in Article 10 of the Loan Agreement.

4. In view of the above, this Court is inclined to proceed further and appoint Sole Arbitrator and refer the dispute between the petitioner and the respondent to the Sole Arbitrator, which will be dealt with on its



own merits and in accordance with law.

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5. In the light of the above discussion, this Court appoints Mr.Naveen Kumar Murthi, Advocate, S2, 2nd Floor, Singapore Plaza, No.164/337, Linghi Chetty Street, Chennai – 600 001. [Mobile No.98847 40424], as the sole Arbitrator and the sole Arbitrator is requested to adjudicate the arbitral disputes that had arisen between the parties and render arbitral award by holding sittings in the 'Madras High Court Arbitration Centre under the aegis of this Court' (MHCAC) as per Madras High Court Arbitration Proceedings Rules 2017 and fee of Sole Arbitrator shall be in accordance with the Madras High Court Arbitration Centre (MHCAC) (Administrative Cost and Arbitrator's Fees) Rules 2017.

N.ANAND VENKATESH, J.

gm

Accordingly, this petition is disposed of.



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NCC:yes/no
gm

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