



Arb. O.P. (Com. Div.) No.505 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2025

CORAM

THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

Arb. O.P. (Com. Div.) No.505 of 2024

Tata Capital Ltd.,
Rep. by its Authorised Representative/
Power Agent
Mr.M. Manoj.

... Petitioner

vs.

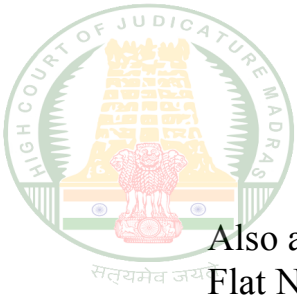
1. Spectra Pipes Private Ltd.,
CIN : U25209KA2010PTC055400,
No.B3, 1st Floor, Jyothi Complex No.134/1,
Infantry Road,
Bangalore – 560 001.

Also at :
Plot No.68/M, Hootagally Industrial Area,
Mysore – 570 020.

2. Mr.Shravan Anil Mehra,
Lehnert D-102,
No.4, 10th A Main,
15th Cross Road,
Malleswaram,
Bangalore, Karnataka – 560 005.

Also at :
Number F 2029, 1st Cross, 3rd Main BTM,
Bangalore,
Karnataka – 560 029.

Also at :
No.7, SIP Road,
CRS Mundy Veerappa Lane,
Karnataka – 560 002.



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Also at :

Flat No.B-2203,
21st & 22nd Floor,
B Tower in Cluster II,
The ICON North, Bharath Nagar,
Manyata Tech Park,
Thanisandra,
Bengaluru,
Karnataka – 560 045.

3. Mrs. Monica Anil Mehra,
Lehnert D – 102, No.4, 10th A Main,
15th Cross Road,
Malleshwaram,
Bangalore, Karnataka – 560 005.

Also at :

S R No.6/1a/8b/21, Sameer Heights,
Flat No.3,
Pune,
Maharashtra – 411 027.

4. Mr.Anil K. Mehra,
Lehnert D – 102,
No.4, 10th A Main,
15th Cross Road, Malleshwaram,
Bangalore, Karnataka – 560 005.

Also at :

No.21, G Floor,
2nd Floor,
Kumara Krupa Road,
Opp. Hotel Solitaire,
Bangalore – 560 055.

... Respondents

Prayer : Arbitration Original Petition (Commercial Division) has been filed under Section 11(4) of the Arbitration and Conciliation Act, 1996 seeking for the following reliefs :-



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a. Appoint an Arbitrator to adjudicate the disputes between the petitioner and the respondents in terms of Agreement for Term Loan dated 12th March 2021 read with the Restructuring Agreement dated 30th August 2021 and

b. Direct the respondent to pay the costs and

For Petitioner	: Mr.Gaurav Chaterjee
For Respondents	: Mr.Mahadevan Krishna Iyer

ORDER

Both the counsels have made a joint endorsement in the Court bundle stating that the parties have arrived at an amicable settlement as per the settlement terms, dated 15.02.2025 entered into between the parties. However as seen from the settlement terms, a consent arbitral award will have to be passed. Therefore, they request this Court to appoint an arbitrator, who shall pass the consent arbitral award in one sitting. They request this Court to appoint a suitable arbitrator for the same.

2. Since a joint consent has been given by both the parties for this Court to appoint an arbitrator to record the settlement terms and to pass an arbitral award in terms of the same, this Court appoints Mr.Vaibhav R. Venkatesh, Advocate, as the sole arbitrator to pass consent arbitral



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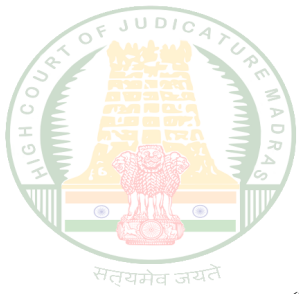
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award. He shall hold only one sitting. If at all any adjournment is sought for, the arbitrator is entitled for additional fee.

3. Since the applicant is having the benefit of an interim order in O.A. No.711 of 2024 and as per the settlement terms, both the parties have agreed for closure of the said application, by vacating the interim order. This Court to protect the interest of the petitioner is directing the arbitrator to treat the Original application viz., O.A. No.711 of 2024 as an application filed under Section 17 of the Arbitration and Conciliation Act, 1996 and directs the arbitrator to close the said application, once the consent arbitral award is passed.

4. For the foregoing reasons, this Arbitration Original Petition is disposed of by issuing the following directions :-

a) This Court appoints Mr.Vaibhav R. Venkatesh, Advocate, who is having office at “Sri Nivas”, 47/93, 5th Street, Padmanabha Nagar, Adyar, Chennai – 600 020, Tamil Nadu (Mobile No.9884929222), (Email :vaibhav.juris@gmail.com) as the sole Arbitrator to adjudicate the dispute between the parties as per the settlement terms, dated 15.02.2025



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(b) The Arbitrator shall be paid a sum of Rs.40,000/-
(Rupees forty thousand only) towards his fees.

(c) Both the parties are directed to share the arbitral fees of the arbitirator equally amongst themselves.

(d) The Arbitrator shall conduct the arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 and shall complete the same in one sitting.

5. Registry is directed to place the entire papers pertaining to the petition filed under Section 11 of the Arbitration and Conciliation Act as well as the application filed under Section 9 of the Arbitration and Conciliation Act before the arbitrator appointed by this Court.

21.02.2025

Index: Yes/ No
Speaking order / Non speaking order
Neutral citation : Yes / No
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