



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08-12-2025**

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CORAM

**THE HONOURABLE MR JUSTICE N. ANAND VENKATESH**

**Arb O.P(COM.DIV.) No. 634 of 2025**

1. Oxyzen Express Private  
Limited  
Door No.21, Sixth Cross Street,  
Wood Creek County,  
Nandambakkam, Chennai 600  
089 Door no.21, Sixth Cross Street,  
Wood Creek Country,  
Nandambakkam, Chennai - 600  
089. Represented by its Authorised  
Signatroy, Mr.Balasubramanian  
Aghoramurthy

Applicant(s)

Vs

1. Mr.Amit Kumar  
Proprietor, Amit Transport  
Company, Having its office at  
Shop No.125C, Neemrana Mod,  
Neemrana, Alwar, Rajasthan -  
301705.

Respondent(s)

**PRAYER**

Petition filed under Section 11(6) of the Arbitration and Conciliation  
Act, 1996, praying to Appoint a Sole Arbitrator to adjudicate all the  
disputes between the Petitioner and the Respondent based on the  
terms of Transport Vendor Agreement dated 24.06.2022 under the



Arbitration and Conciliation Act, 1996 as amended till date.

For Applicant(s): Mr. Inthu Karunakaran

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### **ORDER**

This petition has been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] for appointment of an arbitrator to adjudicate the differences and disputes between the petitioner and the respondents under the Transport Vendor Agreement dated 24.06.2022.

2. When the matter came up for hearing on 24.10.2025, this Court passed the following order:

*This petition has been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 [hereinafter referred to as the Act] to appoint an arbitrator to resolve the dispute arising out of the Transport vendor agreement dated 24.06.2022.*

*2. The agreement provides for referring the dispute for Arbitration under clause 17 and the same is extracted hereunder:-*

***17. ARBITRATION***

***In case any dispute or difference shall arise between the parties during the term of this agreement or after its termination or earlier termination, as to its meaning and construction or to any other matter on things arising directly or indirectly under this Agreement in such an event the same shall be referred to a sole Arbitrator to be appointed by the company by fast track procedure governed under the provisions of Arbitration and Conciliation Act, 1996 and Arbitration and Conciliation (Amendment) Act, 2015 or any statutory amendment thereof. The Seat / venue of such arbitration shall be at Chennai in the state of Tamil Nadu, India and shall be conducted in English language. The award of the Arbitrator shall be final and binding on the parties. The cost of arbitral proceedings and enforcement of***



***award / interim relief shall be borne by the Vendor.***

3. *The trigger notice under Section 21 of the Act was issued on 11.08.2025 and the same has also been received by the respondent. Since there was no response, the present petition has been filed before this Court.*

4. *Notice to the respondent returnable by 17.11.2025. Private notice is also permitted.*

5. *Post this case for hearing on 17.11.2025.*

3. The private notice sent to the respondent has been served and the affidavit of service has also been filed. There is no representation for the respondents 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 17 of the Transport Vendor 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.

5. In the light of the above discussion, this Court appoints Mr.V.Kuberan, M/s.Rank Associates, III and IV Floor, Anjana, 25, Bazullah Road, T.Nagar, Chennai 600 017 [Mobile No.98400 43486], 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.

6. Accordingly, this petition is disposed of.

**08-12-2025**

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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**N.ANAND VENKATESH J.**  
**rka**

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