



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb O.P(COM.DIV.) No. 103 of 2026

1. Chennai Water Desalination
Limited.,
Rep by its Authorised Signatory
Mr. Denny C Kuissingal,
Former address No.9, Plot No 16,
Manjulai First Main Road,
Kalaimagal Nagar,
Ekkaduthangal, Chennai -600032.

Now MIHIR, B-2, 350/5/A/24/1-B
and 2, Road No 2, Panchavati
Colony, Banjara Hills, Hyderabad
- 500 034, Telengana State.

Applicant(s)

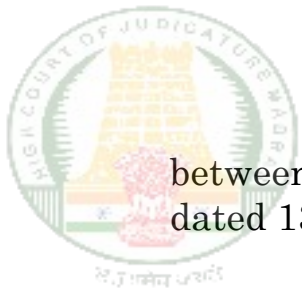
Vs

Chennai Metroplitan Water
Supply and Sewerage Board
Represented by its Managing
Director, No.1, Pumping Station
Road, Chintadiripet, Chennai -
600 002.

Respondent(s)

PRAYER

Petition filed under Section 15(2) of the Arbitration and Conciliation
Act, 1996 to appoint the substitute arbitrator(s) to resolve disputes



between the parties under the Bulk Water Purchase Agreement dated 13.09.2005 and pass orders.

For Applicant(s): M/s.Hema Srinivasan
For Respondent: Mr.Gautam S Raman

ORDER

This petition has been filed under Section 15 (2) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the Act).

2. Heard Mrs.Hema Srinivasan, learned counsel for the applicant and Mr.Gautam S Raman, learned counsel for respondent.

3. This Court passed the earlier order in Arb OP Nos.495 and 575 of 2025 dated 13.10.2025 and appointed a sole arbitrator.

4. The present application has been filed for substitution of the arbitrator on the ground that the sole arbitrator expressed his inability to accept the reference.

5. In the course of hearing, the learned counsel for the petitioner submitted that the petitioner realised that the claims will



exceed 1000 Crores and therefore, it will be appropriate to have a three member Tribunal.

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6. In the considered view of this Court, the Constitution of the Arbitral Tribunal was considered even when the earlier order was passed on 13.10.2025. This Court thought it fit to appoint a sole arbitrator so that the parties can cut down on costs and the same was also consented by both sides. Just because, the claim exceeds 1000 crores that does not mean that a sole arbitrator cannot deal with the issue. What has to be taken into consideration by this Court is only the issue in hand and not the financial out flow arising out of the proceedings.

7. In view of the above discussion, this Court is inclined to substitute the arbitrator. Accordingly, Mr.Sanjib Baneerjee, Former Chief Justice of Madras High Court and Meghalaya High Court, Greater Kailash I, C96, New Delhi – 110 048. email id sanjibbanerjee@gmail.com, is appointed as sole Arbitrator and the Arbitrator is requested to adjudicate the arbitral dispute that were arising between the parties by holding the sittings in any venue in Chennai to the convenience of all concerned and render an award.



Fees of the sole Arbitrator shall be in accordance with the Madras
High Court Arbitration Centre (MHCAC)(Administrative Cost and
Arbitrator's Fees) Rules 2017.

8. This petition is disposed of in the above terms.

04-02-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



Arb O.P(COM.DIV.) No. 103 of
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N.ANAND VENKATESH J.
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