Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

ARB O.P(COM.DIV.) NO. 503 OF 2026
&
A No. 3334 of 2026

1. Pratik Das Gupta

2. Vineet Mehra

..Petitioners

Vs

1. Northern ARC Capital Ltd.,
   Office at Rupa Renaissance,
   21st Floor, A Wing, D-33, MIDC Road,
   TTC, MIDC Industrial Area, Turbhe,
   Navi Mumbai – 400 703.

2. EMKS Siddharthar, District Judge (Retd.),
   Sole Arbitrator,
   Having office at Orient Chambers No. 90/73,
   4th Floor, Armenian Street and
   Mooker Nallamuthu Street Junction,
   Chennai - 600 001. ..Respondents

Prayer: Petition under Sections 14(1)(a) and 14(2) of the Arbitration and Conciliation Act, 1996 to terminate the mandate of the Respondent No. 2, Mr.EMKS Siddharthar, District Judge (Retired), as the Sole Arbitrator appointed to adjudicate the disputes between the parties, under Sections 14(1)(a) and 14(2) of the Arbitration and Conciliation Act, 1996.

For Petitioners: Mr.S.Ketan Paul
For Respondents No Appearance

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

This original petition is filed under Sections 14(1)(a) and 14(2) of the Arbitration and Conciliation Act, 1996 with a prayer to terminate the mandate of the second respondent, the learned sole arbitrator appointed to adjudicate the dispute between the parties.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it is seen that this application has been filed raising various grounds, *inter alia* a ground that as per the original arbitration clause, which is also relied upon by the respondents in Clause 15.2, the institution, namely, CNICA is not mentioned and as such, this is nothing short of a unilateral appointment. Based on this, even while entering the reference, several orders have also been passed by the learned arbitrator.

3. Other grounds are also raised in the petition. When notice was ordered to the respondent and even though notice in this original petition was served, the first respondent has not chosen to appear before this Court and contest the application.

4. In view thereof, considering the grounds raised in the original petition, I am of the view that the petitioner is entitled to succeed. This order will not, in any manner, preclude the parties from moving an application under Section 11

https://www.mhc.tn.gov.in/judis

WEB COPY

of the Arbitration and Conciliation Act, 1996, if the necessity arises for either of the parties.

5. In view thereof, Arb.O.P(Com.Div) No. 503 of 2026 stands ***allowed*** on the following terms:

(i) The mandate of the second respondent, the sole arbitrator appointed to adjudicate the dispute between the parties, stands terminated.

(ii) The proceedings conducted so far before the arbitrator shall be treated as non est in law.

(iii) Consequently, A.No.3334 of 2026 is closed. No costs.

28-10-2026

Neutral Citation: Yes/No

NSL

https://www.mhc.tn.gov.in/judis

WEB COPY

D.BHARATHA CHAKRAVARTHY, J.

NSL

ARB O.P(COM.DIV.) NO. 503 OF 2026

28-10-2026

https://www.mhc.tn.gov.in/judis