
(2022) 01 OHC CK 0210
In the Orissa High Court
Case No : ARBP Nos.40, 41, 42, 43 Of 2021

M/s. Affinique Tech

APPELLANT

Vs

M/s. Maithan Ispat Limited (MESCO Unit-2) And Another

RESPONDENT

Date of Decision : 28-01-2022

Acts Referred:

Arbitration and Conciliation (Amendment) Act, 2015 — Section 11

Citation : (2022) 01 OHC CK 0210

Hon'ble Judges : Dr. S. Muralidhar, CJ

Bench : Single Bench

Advocate : A. Satapathy

Final Decision : Disposed Of

Judgement

Dr. S. Muralidhar, CJ

1. The present petitions under Section 11 of the Arbitration and Conciliation (Amendment) Act, 2015 (â??Actâ??) seek the appointment of an

Arbitrator to adjudicate the disputes between the Petitioner and the Opposite Party arising out of service order dated 25th April, 2018 bearing

â??Purchase Order No.3600000709 with scope of work for â??60 TPH AFBC Boiler Sparger Hopper Modificationâ?;; Purchase Order

No.3600000882 dated 15th June, 2018 with scope of the work for modification of the â??replacement of steam line isolation valveâ?;;

Purchase Order No.3600000777 dated 10th May, 2018 with scope of the work for modification of the â??AFBC Boiler overhauling and

replacement of bed coilâ?? and Purchase Order No.3600000778 dated 11th May, 2018 with scope of the work for modification of the

â??AFBC Boiler Economizer coil replacementâ??â??.

2. It is seen that despite service of notice, none appears for Opposite Party No.1. At the request of learned counsel for the Petitioner, the name of

Opposite Party No.2 is deleted from array of the parties. Learned counsel for the Petitioner points out that the total claim excluding interest in all these cases is around Rs.52.00 lakh.

3. The Court accordingly appoints Shri K.M.H. Niamati, learned Advocate of this Court as the sole Arbitrator to adjudicate the disputes between the parties. The arbitration shall take place under the aegis of the High Court of Orissa, Arbitration Centre.

4. The arbitration petitions are disposed of accordingly. A copy of this order be communicated to the learned Arbitrator forthwith.

5. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order

available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide

Court's Notice No.4587, dated 25th March 2020, modified by Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide

Memo Nos.514 and 515 dated 7th January, 2022.

.....