

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

ARBITRATION PETITION NO. 20 OF 2026

TVS SRICHAKRA LIMITED

PETITIONER(S)

VERSUS

**QUESS GLOBAL SDN BHD
(A DIVISION OF QUESS CORP LIMITED) & ANR.**

RESPONDENT(S)

O R D E R

1. This petition under Section 11(6) read with Section 11(9) and Section 11(12)(a) of the Arbitration and Conciliation Act, 1996 (Act), seeks the appointment of a sole arbitrator to adjudicate disputes arising from a Master Services Agreement dated 02.01.2019 (Agreement). The said agreement was executed between the Petitioner and Respondent No.1 to provide personnel for Petitioner's overseas operations in Indonesia and Vietnam.

2. Briefly observed, the Petitioner, TVS Srichakra Limited, is a company incorporated in India and engaged in the manufacture and export of two-wheeler, three-wheeler and off-highway tyres. The Petitioner approached Respondent No. 2, an Indian company engaged in providing human resource services, for human resource support in respect of its overseas operations in Indonesia and Vietnam. Respondent No.2 suggested the Petitioner to contract with Respondent No. 1, its Malaysian division, and accordingly the Petitioner and Respondent No.1 entered into the Agreement dated 02.01.2019.

3. It appears that the dispute arose around July 2022 onwards, when the Petitioner raised billing-related issues against Respondent No.1. The Petitioner flagged certain discrepancies, including incorrect conversion rates, being charged twice for the same claim, and the Respondents not

paying its personnel despite charging the Petitioner. Clause 19 of the Agreement provided for resolution of disputes first through good-faith negotiations between at least two levels of senior executives, failing which disputes were to be finally settled by arbitration under the Act. In terms of the aforesaid clause, the parties exchanged letters, replies and legal notices between December 2022 and November 2023, with the Respondents denying liability but expressing willingness to negotiate.

4. In these circumstances, the Petitioner issued a notice dated 09.02.2024 under Clause 19 of the Agreement, invoking arbitration and proposing the name of Mr. Ramasubramaniam Raja, Advocate as sole arbitrator. Respondent No.2 replied *vide* communication dated 09.01.2025, i.e., approximately eleven months later, proposing further negotiations without addressing or confirming the nomination of the proposed Sole Arbitrator. Negotiations and correspondence thereafter continued between February and May 2025 but to no avail.

5. As the Respondents failed to accept the nomination of the proposed Sole Arbitrator nor could an amicable settlement be reached between the parties, the present Petition has been filed under Section 11(6) read with Section 11(9) and Section 11(12)(a) of the Act, seeking appointment of a Sole Arbitrator and designating Chennai as the seat and venue of the arbitration.

6. We have heard learned counsel for the parties and perused the material placed on record.

7. Keeping in view the facts and circumstances recorded above and the relevant provision(s) under the agreement dated 02.01.2019, we deem it just and proper to allow the instant Arbitration Petition. We accordingly refer the matter to Nani Palkhivala Arbitration Centre at Chennai for appointment of the sole arbitrator to adjudicate the dispute between the parties.

8. The fees of the Arbitrator shall be governed by the

applicable rules of the Nani Palkhivala Arbitration Centre.
Ordered accordingly.

9. Pending interlocutory applications, if any, also stand
disposed of.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(V. MOHANA)

NEW DELHI;
AUGUST 03, 2026

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Arbitration No(s).20/2026

TVS SRICHAKRA LIMITED

Petitioner(s)

VERSUS

QUESS GLOBAL SDN BHD

(A DIVISION OF QUESS CORP LIMITED) & ANR.

Respondent(s)

Date : 03-08-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Ishaan George, AOR
Mr. Uttam Cheriyan, Adv.
Dr. Rukma George, Adv.
Mr. Sumit Kumar Siddharth, Adv.
Mr. Aman Ahluwalia, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. The Arbitration Petition is allowed in terms of the signed order.
2. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR
(signed order is placed on the file)