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Arb Appln No. 374 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb Appln No. 374 of 2025

B. M. Insulation Private Limited
Represented by its Authorised Signatory,
Mr.T L Ramanathan,
having its registered office at
No.5, Gurusamy Nagar Extension - II,
Mugaliyakkam, Porur, Chennai,
Tamil Nadu – 600 128
Also at
No.104 – 1B/3, Porur – Kundrathur Main Road,
Gerugambakkam, Chennai – 600 128.

..Petitioner(s)

Vs

Vardeep Petro Chemical Private Limited
A Private Limited Company Represented by its
Authorised Signatory
Having its registered office at
Plot No.2685, Old No.AL84, New NO.AL15,
11th Main Road, 4th Street, Anna Nagar,
Chennai 600 040.

..Respondent(s)

Judges Summon under Order XIV Rule 8 of the Original Side Rules read with Section 9(1)(ii)(b) of the Arbitration and Conciliation Act, 1996, praying to direct the Respondent to deposit a sum of Rs.10,20,517/- (Rupees Ten Lakhs Twenty Thousand Five Hundred and Seventeen only) along with compound interest with monthly rests, at three times the bank rate per annum till the date of deposit before this Hon'ble Court.



For Petitioner(s): Mr.Govind Chandrasekher

For Respondent(s): Mr.Davidson Devashish

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ORDER

This Arbitration Application has been filed to direct the Respondent to deposit a sum of Rs.10,20,517/- (Rupees Ten Lakhs Twenty Thousand Five Hundred and Seventeen only) along with compound interest with monthly rests, at three times the bank rate per annum till the date of deposit before this Hon'ble Court.

2. Heard both sides.

3. In a post-award scenario, the present application had been filed, seeking a direction to the respondent to deposit a sum of Rs.10,20,517/- (Rupees Ten Lakhs Twenty Thousand Five Hundred and Seventeen only) along with compound interest with monthly rests, at three times the bank rate per annum till the date of deposit before this Court.

4. During the earlier proceedings, it had been indicated that the respondent would be filing a petition under Section 34 challenging the award. However, when the matter was taken up today, it was fairly submitted that no petition under Section 34 had been filed by the respondent.



5. The learned counsel appearing for the respondent had assailed the award as being incorrect and unjustified.

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6. The present application had been filed under Section 9, seeking to protect the rights of the petitioner, who had been benefitted with the award in the arbitration proceedings. The prayer sought for in the present application amounts to execution of the award itself. In such circumstances, this Court is not inclined to grant the prayer sought for. However, considering the scope of Section 9 in a post-award case, this Court is of the view that the respondent could be directed to furnish a Bank Guarantee for the award amount together with interest thereon, in view of the fact that the award had been passed as early as in the year 2023 and that the respondent had failed to respond to the notice seeking compliance with the award.

7. Accordingly, this application stands disposed of, with a direction to the respondent to furnish a Bank Guarantee towards the award amount together with interest accrued thereon till date, within a period of four weeks from the date of receipt of a copy of this order. No costs.

23-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

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