

In the High Court of Judicature at Madras

Dated : 03.07.2015

Coram :

The Hon'ble Mr.Sanjay Kishan Kaul, Chief Justice

O.P.No.500 of 2015

M/s.Sree Monisha Service Centre,
rep. by its Proprietor B.Kalaiyaasan,
(Mahindra Authorised Genset Industrial Engine Centre)
No.40/2, First Floor,
Bangalore Road,
Vellore-632 004.

.. Petitioner

-VS-

Mahindra & Mahindra Limited,
MAHINDRA POWEROL BUILDING,
Gate No.2, Akurli Road,
Kandivali (East),
Mumbai-400 101.

.. Respondent

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an Arbitrator to resolve the disputes between the petitioner and the respondent in terms of Clause 36 of the Agreement dated 27.11.2008 between the parties.

For Petitioner : Ms.S.Thamizharasi

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ORDER

After some arguments, in view of both the venue of arbitration being in Mumbai as per Clause 36 of the arbitration agreement and Clause 37, being the jurisdictional Clause conferring exclusive jurisdiction on the Mumbai Court and the respondent having its registered office at Mumbai, the learned counsel for the petitioner seeks to withdraw the Original Petition with liberty to move before the competent Court at Mumbai.

2. Liberty is granted.

3. The Original Petition is dismissed as withdrawn in terms aforesaid. No costs.

(S.K.K., CJ.)
03.07.2015

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The Hon'ble Chief Justice

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