

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

**Review Application Nos.115 and 116 of 2016
in O.S.A.Nos.324 and 409 of 2012**

National Company,
Rep. By its Managing Partner .. Applicant in both OSAs.

-VS-

Kocon India Pvt. Ltd.
Rep. By its H.R.Manager,
Mr.Charles Nov. .. 1st Respondent in OSA.115/2016

Suvidha Parklift Ltd.
Rep. By its Managing Director,
Mr.Pranav Poddar. .. 1st Respondent in OSA.116/2016

Review applications filed under Order 47 Rule 1 read with
Seciton 114 of C.P.C. to review the common order dated 18.10.2016
passed in O.S.A.Nos.324 and 409 of 2012 on the file of original side of
this Court.

For Applicant : Mr.P.S.Raman, Sr. Counsel
Mr.N.Vijayakumar

For Respondents : Mr.Edwin Prabhakar

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Learned senior counsel for the applicant contends that the review applications are necessitated as the relevant facts were not brought to the notice of this Court, i.e. that there has already been appointment of an Arbitrator in respect of inter se disputes between the original respondents in the Original Side Appeals and an award has been made and thus, the arbitrator now has to proceed only between the original appellant and the original first respondent in the appeals.

2.We had noted the submission of the learned Senior Counsel for the original second respondent (applicant before us) that they were not party to the arbitration clause, but observed that there was a tripartite agreement. In view of the arbitration award having been made inter se the original respondents, the Arbitrator appointed by this Court on 18.10.2016 be informed accordingly.

3.Review applications, accordingly, stand disposed of. No costs.

(S.K.K., C.J.) (R.M.D., J.)
14.11.2016

Index : Yes/No
Website : Yes/No
sra

The Hon'ble Chief Justice
and
R.Mahadevan, J.

(sra)

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