

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 17TH DAY OF FEBRUARY 2017

THE HON'BLE THIRU HULUVADI GANGADHARAPPA RAMESH

ACTING CHIEF JUSTICE

A.No.1008 of 2017

IN

OP.NO.378 Of 2016

M/s.Custodial Services(India) Private Limited
Basement, Kalyan,
NO.4, Jyothi Venkatachallum Road,
Vepery,
Chennai-600 007.

..Petitioner/Applicant

Vs

M/s.Metafilms(India) Ltd.,
No.157/1, G.N.T.Road,
Chinnambedu P.O.,
Kavarapet-601 206.

..Respondent/Respondent

Application praying that this Hon'ble Court be pleased to the order dated 03.02.2017 passed in Appln.No.665 of 2017 be not reviewed for the reason of other sufficient cause and the Respondent be not directed to discover the documents set out in Sl.Nos.1,2,3,11,12 and 24 in Schedule I.

This Application coming on this day before this court for hearing the court made the following order:

This application has been filed by the petitioner seeking to review the order dated 03.02.2017 passed in A.No.665 of 2017.

2.Heard the learned counsel for parties.

3.The order passed in A.No.665 of 20017, dated 03.02.2017, reads as under:-

"The application has been filed seeking discovery of documents from the respondent as set out in Schedule I. An exhaustive list of documents are sought in respect of functioning of the respondent company, its accounts, its loans, its transactions, while the only issue on trial is the validity and existence of the arbitration agreement as it falls within the scope of Section 11 of the Arbitration and Conciliation Act, 1996.

2.I am of the view that there is a mistaken belief as if the merits of the case will be decided here and thus, this application is not liable to be entertained."

4.The aforesaid order, in my view, does not call for any review under Order XIV, Rule 8 of the Original Side Rules read with Section 114 of the Code of Civil Procedure, 1908.

5.The application is dismissed.

Sd/.H.G.R.,ACJ
17.02.2017

//Certified to be a true copy//
Dated this the day of 2017.

MD/21.02.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.