

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 21TH DAY OF JUNE 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

O.A.Nos.364 and 365 OF 2017

In the matter of Arbitration &
Conciliation Act, 1996

And

In the matter of Disputes between
Lloyd Insulations India Limited and
Kellogg India Pvt Ltd, In Respect of
Acceptance Letter No
KIL/VAL/LII/PEMB/02 dated
18.12.2012.

Lloyd Insulations India Limited,
Pre Engineered Building Division,
No.5, Haddows Lane, Off Haddows Road,
Nungambakkam, Chennai-600 006.

..Applicants

(O.A.Nos.364 to 365 OF 2017)

-Versus-

1.Kellogg India Pvt Ltd
1001-1002, 10th Floor,
Hiranandini Knowledge Park,
Hiranandini Business Park,
Powai, Mumbai-400 076.

2.Punjab and Sind Bank,
Anna Salai Branch,
161, Anna Salai,
Opp. Spencer Plaza,
Chennai-600 002.

..Respondents

(O.A.Nos.364 to 365 OF 2017)

O.A.Nos.364 OF 2017

Application praying that this Hon'ble Court be
pleased to Grant an order of interim injunction restraining
the 1st Respondent, their men, servants and/or agents or any

other person acting on the basis of any instructions issued by them, from collecting the monies to the tune of Rs.34,03,356/- pursuant to BG.No: 78/2016-17 dated 20.08.2016 payable by the 2nd Respondent as sought to be invoked by the 1st Respondent pending adjudication of the dispute/issue in the arbitration in this regard.

O.A.Nos.365 OF 2017

Application praying that this Hon'ble Court be pleased to Grant an order of interim injunction restraining the 1st Respondent, their men, servants and/or agents or any other person acting on the basis of any instructions issued by them, from collecting the monies to the tune of Rs.6,22,073/- Pursuant to BG.No: 77/2016-17 dated 20.08.2016 payable by the 2nd Respondent as sought to be invoked by the 1st Respondent pending adjudication of the dispute/issue in the arbitration.

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

O.A. No.364 of 2017 has been filed by the applicant seeking an order of interim injunction restraining the first respondent from collecting the monies to the tune of Rs.34,03,356/- pursuant to BG No.78/2016-17 dated 20.08.2016 payable by the second respondent as sought to be invoked by the first respondent pending adjudication of the dispute/issue in the arbitration.

O.A. No.365 of 2017 has been filed by the applicant seeking an order of interim injunction restraining the first respondent from collecting the monies to the tune of Rs.6,22,073/- pursuant to BG No.77/2016-17 dated 20.08.2016 payable by the second respondent as sought to be invoked by the first respondent pending adjudication of the dispute/issue in the arbitration.

2.When the matter is taken up for hearing today, it is submitted that proceedings for arbitration have been initiated and are ongoing.

3.Accordingly, these applications are closed leaving all contentions open to be raised by the parties before the Arbitrator in accordance with law.

sd/-A.S.M.J

21.06.2017

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

EM/28.07.2017

COURT OFFICER

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