

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 21ST DAY OF SEPTEMBER 2017

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A.NO.5739 OF 2017

and

A.NO.5740 OF 2017

in

A.No.3581 of 2017

(In the matter of Arbitration  
and Conciliation Act, 1996

and

In the matter of Arbitration  
disputes between M/s.Garuda  
Aviation Services Pvt. Ltd.  
and Airports Authority of  
India over License Agreement  
dated 01.04.2012.

M/s. Garuda Aviation Services Pvt. Ltd.  
Rep. by its General Manager  
Mr.Akbar Bashah,  
Garuda House,  
No.142, Upper Govind Nagar,  
Malad (E),  
Mumbai 400097.

..Applicant  
(In All The Application)

VS

Airports Authority of India,  
Rep. by Airport Director,  
Chennai Airport,  
Chennai 600016.

..Respondent  
(In All The Application)

**A.NO.3581 OF 2017:**

Application praying that this Hon'ble Court be pleased  
to grant an order of stay of the operation of the Letter  
No.AAM/C.031/2013/2438 dated 22.06.2017 issued by the  
Respondent, pending the arbitration.

**A.NO.5739 OF 2017:**

Application praying that this Hon'ble Court be pleased to modify or clarify the common order dated 12.09.2017 made in A.No.3581 of 2017 and A.No.5380 of 2017.

**A.NO.5740 OF 2017:**

Application praying that this Hon'ble Court be pleased to recall the common order dated 12.09.2017 made in A.No.3581 of 2017 and A.no.5380 of 2017.

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

The present applications are filed seeking recall of order dated 12.09.2017, passed in A.Nos.3580 and 3581 of 2017 and modification of the same.

2. Heard Mr.K.Sridhar, learned counsel appearing for the applicant.

3. No ground has been made to justify a recall as sought for, of order dated 12.09.2017.

4. The order was passed after detailed hearing and upon consent expressed by both parties to submit the disputes inter se to arbitration. In fact, even in the present applications, the applicant would reiterate its intention to submit to the dispute resolution process as agreed to by the parties in the Licence Agreement. The directions have been issued taking into account the interests of both parties and the balance of convenience and no reason has been set forth warranting recall of the same.

5. In the aforesaid circumstances, I am not inclined

to entertain the present applications that stand rejected  
in limine.

Sd/-A.S.M.j

21.09.2017

//Certified to be a true copy//

Dated this the      th day of                          2017.

EM/27.10.2017

COURT OFFICER

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