

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2017

CORAM :

The Hon'ble Mr.Justice M.M.SUNDRESH
AND

The Hon'ble Mr.Justice M.SUNDAR

O.S.A.Nos.171 and 172 of 2012
and

Cross Objection Nos.34 and 35 of 2012

OSA.Nos.171 and 172 of 2012:

Befesa Agua, SAU

CIF A 41290792, Avda Buhaire, 2

41018 Sevilla, Spain,

represented by its authorised Signatory,

Francisco Blanco

.. Appellant in
both O.S.As.

VS.

1.IVRCL Infrastructure and Projects Ltd.,

M-22/3RT, Vijayanagar Colony,

Hyderabad-500 057

represented by its Director R.Balarami Reddy.

2.IVRCL Assets and Holdings Ltd.,

M-22/3RT, Vijayanagar Colony,

Hyderabad-500 057

represented by its Director R.Balarami Reddy.

3.Chennai Water Desalination Ltd.,

30A South Phase, 6th Cross Road,

TVK Industrial Estate, Guindy,

Chennai-600 032.

.. Respondents in both O.S.As.

These original side appeals have been filed under Order XXXVI Rule 1 of Original Side Rules read with Clause 15 of Letters Patent against the order made in Original Application Nos.678 and 679 of 2011, dated 05.01.2012.

Cross Objection Nos.34 and 35 of 2012:

1 IVRCL INFRASTRUCTURE AND [PETITIONER]
PROJECTS LTD M-22 3RT VIJAYANAGAR COLONY
HYDERABAD

2 IVRCL ASSETS AND HOLDINGS LTD
M-22 3RT VIJAYANAGAR COLONY HYDERABAD

3 CHENNAI WATER DESALINATION
PLANT SOUTH PHASE 6TH CROSS RD THIRUV.KA
es.ecourts.gov.in/hcservices/
INDUSTRIAL ESTATE GUINDY CHENNAI.

Vs

1 BEFESA AGUA SAU
CIF A 41290792 AVDA BUHAIRE 2 41018
SEVILIA SPAIN

[RESPONDENT]

Both Cross Objections filed under Order XLI Rule 22 of O.S.Rules read with clause 15 of letter patent Act praying to set aside the Order dated 05.01.2012 passed by the Hon'ble Judge in Application Nos.678 and 679 of 2011 respectively.

Prayer in OA.Nos.678/2011: This Application filed praying to grant interim injunction restraining the respondents 1 to 3 from acting in breach of their obligations under the shareholders agreement dated 31.08.2005.

Prayer in OA.678/2011: This Application is filed praying to grant interim injunction restraining the respondents 1 to 3 from taking any actions to restrict in any manner the exercise of the Applicant's rights under the Shareholders Agreement dated 31.08.2005.

For Appellant in
appeal and respondent in
Cross Objections : Mr.Vineet Subramani
For Respondents in appeal
and Cross Objectors in
Cross Objections : Mr.Thriyambak J.Kannan

COMMON JUDGMENT

(Judgment of the Court was made by M.M.Sundresh, J.)

When the matter is taken up for hearing, the learned counsel appearing for the respondents would submit that the main arbitration O.Ps. themselves have got terminated and he has also produced a copy of the proceedings, dated 25.09.2017 made in 18101/ARP/MD/TO and 18102/ARP.

2 In view of the same, nothing survives for adjudication in these appeals, as the order passed under Section 9 of the Arbitration and Conciliation Act, 1996 in O.A.Nos.678 and 679 of 2011 got themselves worked out. In such view of the matter, these original side appeals are dismissed. No costs. Consequently, connected cross objections are closed.

Sd/-
Assistant Registrar?(CCC)

// True Copy//

Sub Assistant Registrar

TO

1.The Sub Assistant Registrar,
Original Side,
High court, Madras.

+lcc to Mr.Hema Srinivasan, Advocate SR.No.75669

O.S.A.Nos.171 and 172 of 2012
and
Cross Objection Nos.34 and 35/2012

RV(CO)
GN(22/11/2017)



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