

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.11.2017

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

Original Petition No.323 of 2010

1. Mr.V.Suresh Banu
2. Mrs. Usha Suresh .. Petitioners

vs

1. M/s Cholamandalam DBS Finance Limited
rep. By its Senior Manager
Mr.K.Rakesh Rai
Dare House, No.2, N.S.C. Bose Road
Chennai 1.
2. Y.K.Rajagopal
Sole Arbitrator,
No.6, New No.11,
I Floor, Francis Joesph Street,
Chennai 1. .. Respondents

Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 to set aside the award dated 06.12.2009 passed by the 2nd respondent and to award cost to this petition.

For Petitioners

... Mr.B.Divakaran

For Respondents

....Mr.S.Namasivayam (R1)
NA for R2

M.M.SUNDRESH.J.
rg

ORDER

When the matter was called on 09.11.2017, there was no representation for the petitioners. Hence, the matter was directed to be listed today (10.11.2017) under the caption "for dismissal". When the matter is taken up for hearing today, learned counsel for the petitioners reports "no instructions".

2. In view of the above submission made by the learned counsel for the petitioners, since the matter is of the year 2010, this Court is of the view that the matter need not be kept pending any longer. Accordingly, the Original Petition is dismissed for non prosecution. However, liberty is given to the petitioners to file appropriate application, if he is so advised.

rg

10.11.2017

WEB COPY

Original Petition No.323 of 2010