



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 12th DAY OF JULY 2018

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P. No.642 of 2011

In the matter of
The Petition to set aside
Arbitration Award filed
Under Section 34 of the
Arbitration and Conciliation
Act, 1996

and

In the matter of
Arbitration Award dated
29.05.2011 passed by the
Sole Arbitrator Mr. Anis
Ahmed in Arb. Case
No.954/2010 between Kotak
Mahindra Bank Limited

...Claimant

-Vs.-

1. Shri Mahaveer Singh Gulab
Singh Payal

2. Shri Ram Pratap Upadhyay

... Respondents

1. Shri Mahaveer Singh Gulab Singh Payal,
S/o. Shri Gulab Singh Payal,
R/O Rajasthan Golden Transport,
Dewas Naka, Indore-452010 (M.P.)

2. Shri Ram Pratap Upadhyay,
R/o D-108, Slice No.3, Sch No.78,
Indore-452 001 (M.P.)

... Petitioners

-Versus-

1. Kotak Mahindra Bank Ltd.,
Regd. Office: 36-38A, Nariman Bhavan,
227, Nariman Point, Mumbai-400 021
Zonal and Main office at Chennai:
'Capitale', Ground Floor, 555,
Anna Salai, Teynampet, Chennai-600 018.

2. Mr. Anis Ahmed, Advocate (Sole Arbitrator),
1st Floor, 150, Pycrofts Road, Royapettah,
Chennai-600 014, Tamil Nadu.

... Respondents



Original Petition praying that this Hon'ble Court be pleased to direct the 2nd respondent to produce the entire record of Arb. Case No.954/2010 and after hearing both the parties to set aside the Arbitral Award dated 29.05.2011 in Arb. Case No.954/2010 passed by the 2nd respondent Mr.Anis Ahmed, Advocate and Sole Arbitrator under the provisions of section 34 of the Arbitration and Conciliation Act, 1996 with costs of this O.P. Proceedings.

This Original Petition coming on this day before this Court for hearing in the presence of Mr.Rajendra Prasad Tayal, advocate for the petitioners herein and the respondents herein not appearing in person or by advocate and upon reading the petition and the award filed herein, and the learned counsel for the petitioner having submitted that the dispute has been settled out of court and he seeks permission of this court to withdraw the petition and he has also made an endorsement to that effect stating that "The matter is settled between the parties out of Court", it is ordered:-

That the O.P. No.642 of 2011 be and is hereby dismissed as settled out of Court.

WITNESS THE HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 12th DAY OF JULY 2018.

Sd./-

ASSISTANT REGISTRAR(O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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O.P. No.642 of 2011

ORDER

DATED: 12.07.2018

THE HON'BLE MR.JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL:14/08/2018

APPROVED ON:14/08/2018