

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 19TH DAY OF JANUARY 2018

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

A. No.8050 of 2017

in

A. No.2245 of 2017

in

O.P. No.127 of 2016

A. No.2245 of 2017

in

O.P. No.127 of 2016

In the matter of Section 47
to 49 of Arbitration and
Conciliation Act, 1996 and
Rules made thereunder

And

In the matter of disputes between
Thaicom Public Company Limited and Raj
Television Network Limited

And

In the matter of Enforcement of Foreign
Award dated 21.09.2015

Thaicom Public Company Limited

A company incorporated under the laws of Thailand

having its place of business at;

41/103 (New No.63/21), Rattanathibet Road,

Nonthaburi 11000, Thailand

: Applicant / Petitioner

Vs.

Raj Television Network Ltd.

Having its place of business at;

32, II, Pose Road,

Teynampet,

Chennai - 600 008.

: Respondent / Respondent

A. No.8050 of 2017

Raj Television Network Ltd.
 Having its place of business at;
 32, II, Pose Road,
 Teynampet, Chennai - 600 018.

: Applicant / Respondent / Respondent

Vs.

Thaicom Public Company Limited
 A company incorporated under the laws of Thailand
 having its place of business at;
 41/103 (New No.63/21), Rattanathibet Road,
 Nonthaburi 11000, Thailand

: Respondent / Applicant / Petitioner

Application praying that this Hon'ble Court be pleased to set aside the Order dated 12.10.2017 made in Application No.2245 of 2017 in O.P. No.127 of 2016 for the following

GROUND

1.The order of the Learned Master is materially irregular, contrary to law and facts and circumstances of the case.

2.The Learned Master has erred in directing the Applicant herein to disclose the Particulars of Assets when the proceedings challenging the enforceability of the award is yet to attain finality.

3.The Learned Master failed to note that Judgment and Decree dated 26.10.2016 passed in O.P. No.127/16 is subject to appeal.

4.The Learned Master ought to have taken note that foreign award dated 21.09.2015 has not attained finality as the Applicant herein is interalia challenging the recognition and enforcement of the foreign award.

5.The Learned Master ought to have noted that OSA 113/2017 filed against the Judgment and Decree dated 26.10.2016 in O.P. 127/2016 was dismissed interalia on the ground of maintainability.

6.The Learned Master ought to have noted that the information regarding the details of the assets are those documents which are publicly available, the disclosure of the particulars of assets by the Applicant does not arise.

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

After making submissions, learned counsel appearing for the applicant seeks permission to withdraw the application. It is submitted that further time of 30 days may be granted for complying with the order of the learned Master. He has also made an endorsement to that effect.

2. In view of the above, the application is dismissed as withdrawn. The applicant is granted 30 days time from the date of receipt of a copy of this order to comply with the order of the learned Master.

Sd./- M.M.S.J.

19.01.2018

//Certified to be true copy//

Dated at Madras this the th day of 2018.

COURT OFFICER (O.S.)

TPY/21.2.2018

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