

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 11TH DAY OF SEPTEMBER 2018

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

A.No.6894 of 2018

in

O.P. No.326 of 2016

In the matter of Contract agreement in GPL/RLY/001/39 dt.28.02.2007 issued by the respondent in favour of the Petitioner for construction of Cast-in-situ Minor Bridges.

In the matter of Arbitration and Conciliation Act, 1996

And

In the matter of Award Dated 15/02/2016.

M/s.Shyam Construction,
Proprietor G.Sathish Kumar,
Kasthuri Flats, 48A, Agathiyar Street,
Ambattur, Chennai.

... Applicant/Petitioner

Vs

1.M/s.Tata Projects Limited,
1-7-80 Mithone Towers,
Opp. to Westly Junior Co-Ed. College,
Prender Ghast Road, Secunderabad

2.Mr.Justice S.Kaliampoorthy,
No.20/18C, Suprabath Bharathidasan Street,
Neelamangai Nagar, Adambakkam,
Chennai.

(2nd Respondent deleted as per order dt.25.04.2016
and order dated 2.9.2016 in O.P. No.326 of 2016)

... Respondents/Respondents

A.No.6894 of 2018

Application praying that this Hon'ble Court be pleased to issue the cheque for a sum of Rs.6,34,567/- in favour of the petitioner and hand over the said cheque to the petitioner.

The learned counsel for the applicant seeks permission of this Court and submitted that he is not pressing the application. He has also made an endorsement as follows:-

pressed. Liberty may given for alternative
petition"

2. In view of the above, this application is dismissed
not pressed.

3. It is pertinent to note that the order of this Court dated 23.04.2018 in paragraph No.14 it has been observed by learned single Judge as follows:-

"Inasmuch as this Court has confirmed the award passed by the Tribunal, the said amount shall not be withdrawn by the petitioner as it is open to file appropriate petition for withdrawing the above said amount in the execution proceedings."

4. In view of the above, this application is dismissed
not pressed with liberty to the petitioner to seek his
redressal as stated above.

Sd/ .D.K.K.J
11.09.2018

//Certified to be a true copy//

Dated this the th day of 2018.

COURT OFFICER

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