

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 15TH DAY OF APRIL 2019

THE HON'BLE MR. JUSTICE M.SUNDAR

A. No.1794 of 2019
in
O.P. No.141 of 2017

In the matter of disputes
Between Mr. K.Vasu
And
M/s. United Plantation
Limited and in the matter
of the Arbitration and
Conciliation Act, 1996
and in the matter of the
Arbitral Award dated
10.08.2016

Mr.K.Vasu,
S/o.Kuttiappan
Proprietor-M/s Hariharan Timber & Firewood
Depot Wellington Bazaar,
Wellington,
Nilgris District

... Applicant

-Versus-

1.M/s.United Plantations Ltd.
(A Company incorporated under the
Companies Act, 1956)
Having its Administrative office at
No.78, Cheran Towers,
Government Arts College Road,
Coimbatore.

2.The Branch Manager,
HDFC Bank Limited
Gandhipuram Branch,
Coimbatore -641 012.

...Proposed 2nd
Respondent/3rd party
in OP No.141 of 2017

Application praying that this Hon'ble Court be pleased
to implead the Branch Manager of HDFC Bank Ltd. Gandhipuram
Branch, Coimbatore as party/2nd Respondent and to pass such

further or other order(s) as this Hon'ble Court may deem fit and proper in the circumstances of the case.

This application coming on this day before this Court for hearing the Court made the following order:-

"From the records/ case file placed before this Court, it comes to light that the main OP i.e., OP.No.141 of 2017 itself was dismissed after full contest by a detailed order dated 13.07.2018. Thereafter, instant application taken out by the sole respondent in the main OP with a impleading prayer has been filed on 08.02.2019.

2. It is not clear as to how an application with a prayer for impleading a third party was processed and numbered after disposal of the main OP itself.

3. However, Mr.R.Bharath Kumar, learned counsel on record submits that the intra Court original side appeal against the main OP in O.S.A.No.84 of 2019 itself was dismissed on 12.04.2019. Saying so, learned counsel on record made an endorsement in the instant application, which reads as follows:

'This application has become infructuous in view of dismissal of O.S.A.No.84 of 2019 on 12.04.2019. Hence, the applicant seeks permission of this Hon'ble Court to withdraw the application and thus render justice.

Sd/-

Counsel for applicant

15.04.2019'

4. Learned counsel on record reiterates the endorsement.

In the light of the endorsement and reiteration of the same, instant application is dismissed as withdrawn".

Sd/.M.S.J.

15.04.2019

//Certified to be a true copy//

Dated this the 3rd day of May 2019.

TE/03/05/2019

COURT OFFICER

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