

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

O.S.A.No. 104 of 2019

and

C.M.P.No.9701 of 2019

M/s. Magic Motors
A Partnership Firm,
Rep. by its Partner
Mr.Nishant P.Bhutada
Plot No.2, Near ABB Circle,
Trimbak Road,
Nasik, Maharashtra - 422 005. ... Appellant

Vs.

1. M/s. Nissan Motor India Pvt. Ltd.,
Rep. by its Director
Plot No. 1A, SIPCOT Industrial Park,
Oragadam, Mattur (P.O)
Sriperumbudur,
Kancheepuram District - 602 105.
2. M/s. Nissan Renault Financial Services
India Pvt. Limited.,
Rep. by its Senior Manager-
Risk Management K.B.Hari Shankar
ASV Ramana Towers, 5th Floor,
No.52, Venkatanarayana Road,
T.Nagar, Chennai - 600 017. ... Respondents

Original Side Appeal filed under Order XXXVI Rule 1 of
O.S.Rules read with Clause 15 of Letters Patent against the
Order of this Court dated 14.02.2019, made in A.No. 8027 of 2018.

Application praying to grant an order of ad-Interim
Injunction restraining the 1st respondent company from
disbursing any amount to the 2nd respondent or any person or
persons claiming or acting through them and consequently direct
the 1st respondent to pay the sum of Rs.39, 61, 695/- directly

to the applicant herein pending preferring a claim arising out of the Dealership Agreement dated 12.02.2016 before the Arbitral Tribunal.

For Appellant : Mr. R.Thiagarajan

For Respondents : Mr. S.Namasivayam

J U D G M E N T

(Delivered by DR.VINEET KOTHARI, J)

Learned counsel appearing for the Appellant seeks leave of the Court to withdraw the Appeal with liberty to approach the Arbitral Tribunal for interim relief under Section 17 of the Arbitration and Conciliation Act and has also made an endorsement to that effect.

2. Permission is granted.

3. In view of the same, the Writ Appeal is dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsg
To

The Sub Assistant Registrar,
Original Side, High Court, Madras-104.

+1cc to Mr.R.Thiagarajan, Advocate sr.62149

+1cc to M.rS.Namasivayam, Advocate Sr.61171

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O.S.A.No. 104 of 2019
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srg 21/08/2019