

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.04.2019

Coram

THE HONOURABLE MR. JUSTICE M.SUNDAR

O.P.No.996 of 2017
and A.Nos.8041 of 2017 and 1152 of 2019

1.Dr.Siddhartha Ghosh
2.Dr.Mitra Ghosh

.. Petitioners

vs.

M/s.Apaar Creation Private Limited
Having Registered Office at
Flat No.1, "Annapurna Apartments"
Ground Floor, New No.11 (Old No.3)
Warren Road, Mylapore, Chennai - 600 004.

... Respondents

Original Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996, to set aside the award dated 16.08.2017 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

For Petitioners : Mr.C.H.Vinay Datha Challagulla

For Respondents : Mr.H.Karthik Seshadri of
M/s.Iyer and Thomas

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ORDER

There are two petitioners and a sole respondent. Mr.C.H.Vinay Datha Challagulla, learned counsel on record for the two petitioners and Mr.H.Karthik

Seshadri, learned counsel of M/s.Iyer and Thomas [Law Firm] on behalf of the sole respondent are before this Court.

2. Both learned counsel submit that the parties have arrived at a settlement and the terms of the settlement have been reduced to writing by way of what is captioned as 'Joint Memorandum of Compromise' dated 30.04.2019 ('said MOC' for brevity).

3. Both the learned counsel make a request that said MOC may please be recorded and the instant 'Original Petition' ('OP' for brevity) may please be disposed of in terms of said MOC, so that the terms of said MOC will stand substituted qua the impugned award.

4. With regard to petitioners, Mr.Vinay Datha Challagulla, learned counsel submits that both the petitioners are Medical Doctors and owing to the nature of their avocation, they have some difficulty in being personally present before this Court today. However, with regard to sole respondent, which is a private limited company, Mr.Jasbir Singh, whom this Court is informed is the Director of the respondent company, is present. Mr.Jasbir Singh, reiterates the terms of said MOC and reiterates the aforesaid request.

5. Mr.C.H.Vinay Datha Challagulla, learned counsel requests that the presence of the petitioners may please be dispensed with. Considering that they are Medical Doctors, considering their avocation and difficulty today, request to dispense with their personal presence today is acceded to with the consent of the respondent, who is present in Court.

6. Learned counsel for petitioners, on instructions, reiterates the terms of said MOC on behalf of the petitioners.

7. To be noted, said MOC shall form part of this order in the main OP.

8. Recording said MOC, instant OP is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

30.04.2019

Speaking Order/Non-Speaking Order

Index : Yes/No

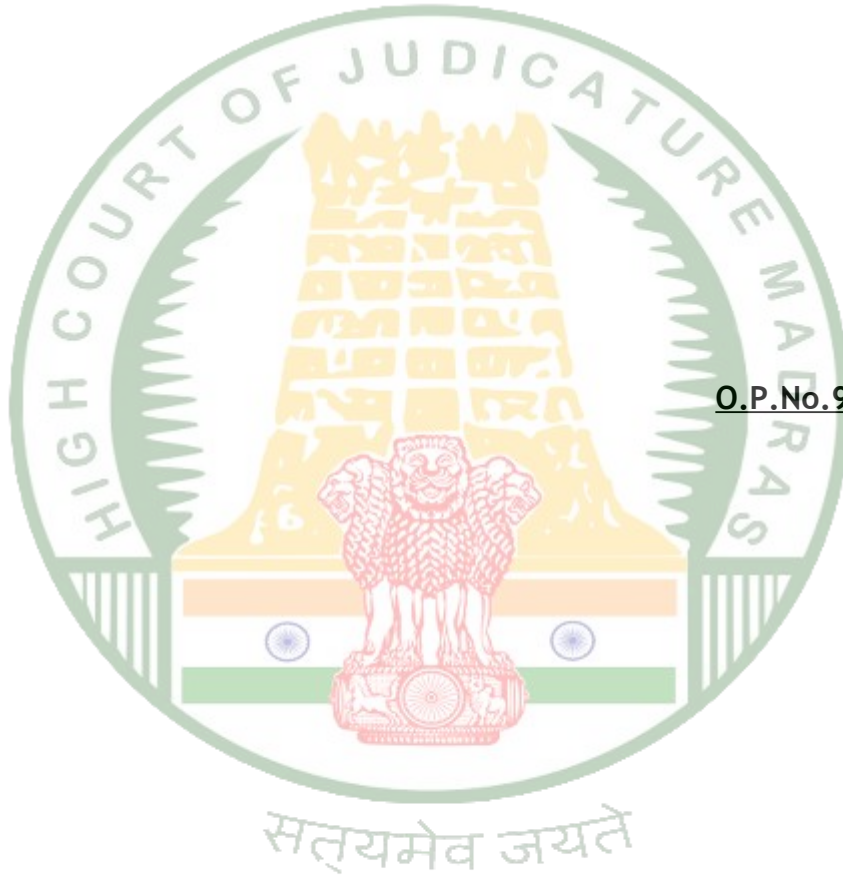
Internet: Yes/No

Note: Issue order copy by 06.05.2019

vsm/mp

M.SUNDAR, J.

vsm/mp



O.P.No.996 of 2017

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