

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2019

CORAM

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

CMA NO.2679 OF 2018

DEWY Terraces (Phase 1) Flat
Owners Association
C-212, Phase - 1
Dewy Terraces, Crescent Parc,
Thiruporur,
Kanchipuram - 603 110. Appellant

VS.

SARE Shelters Project Pvt. Ltd.,
(Formerly known as SARE Jubilee
Shelters Pvt.Ltd.)
C-42&C-43, CIPET Road,
Thiru-vi-ka Industrial Estate,
Guindy, Chennai - 600 032.

Head office at:
Duet House
Plot No.46, Udyog Vihar Phase IV,
Gurgaon - 122 015. ... Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 37 of the Arbitration and Conciliation Act, 1996, against the order dated 08.09.2018 passed by the Arbitral Tribunal in I.A.No.6 of 2018 in Arb.No.1 of 2017 passed by the learned Sole Arbitrator.

For Appellant : Ms.Rohini Ravikumar

For Respondent : Mr.R.Arumugam

J U D G M E N T

The present Civil Miscellaneous Appeal has been preferred against the order dated 08.09.2019 passed in I.A.No.6 of 2018 in Arb.No.1 of 2017 by the Arbitral Tribunal for a direction to provide the contact details of the flat owners of Phase-I promoted by the respondent, to the claimant, namely Dewy

Terraces (Phase I) Flat Owners Association.

2. The Arbitral Tribunal by its order dated 08.09.2018 has allowed the application and directed the respondent to disclose the basic contact details by displaying it in the common Notice Board maintained in the Flat within 15 days from the date of receipt of a copy of the said order.

3. When a positive direction is given by the Arbitrator, the appellant is not entitled to file an appeal for its non-compliance. They have to work out their remedy before the Arbitrator. The respondent shall comply with the orders of the Arbitrator as undertaken by them even before this Court also.

4. With the above observations and directions, the Civil Miscellaneous Appeal is disposed of. No costs.

TK

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Arbitral Tribunal,
Chennai.

2.SARE Shelters Project Pvt. Ltd.,
(Formerly known as SARE Jubilee
Shelters Pvt. Ltd.)
C-42&C-43, CIPET Road,
Thiru-vi-ka Industrial Estate,
Guindy, Chennai - 600 032.

सत्यमेव जयते

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Kak (27/06/2019)

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