

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30/9/2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.A.Nos.697 to 699 of 2018

M/s. Sivaswathi Singan Velagapudi Consortium - Madhavaram
(shortly known as SSV Consortium - Madhavaram)
Represented by its authorized signatory Mr.B.Markandeyulu
Plot No.17, aurora Colony
Road No.3, Banjara Hills,
Hyderabad 500 034.

... Applicant
(in O.A. Nos.697 to 699 of 2018)

-Versus-

1. M/s.Chennai Metro Water Supply & Sewerage Board
Represented by its Chief Engineer P (II)
No.1, Pumping Station Road, Chintadripet,
Chennai 600 002.

2. M/s.Axis Bank Limited
Represented by its authorized Signatory
Credit Management Center
6-3-879/B, First Floor, G Pulla Reddy First Floor,
Green Lands, Begumpet Road, Hyderabad 500 016.

3. State Bank of India
Industrial Finance Branch
6-3-1109/1, Raj Bhavan Road,
Somajiguda, Hyderabad 500 082.

... Respondents
(in O.A. Nos.697 to 699 of 2018)

Prayer: Petitions filed under Order XIV Rule 8 of the Original

O.A. No.697 of 2018:-

Original Application praying that this Hon'ble Court be pleased to pass an order of an ad-interim injunction restraining the 1st respondent or its men, or its servant or its agent or any other person claiming through them or under them from terminating the contract dated 05.07.2012 bearing Contract No. CNT/WSS/NCB/JICA/01/2010-11 until the disposal of the arbitration proceedings.

O.A. No.698 of 2018:-

Original Application praying that this Hon'ble Court be pleased to pass an order of ad-interim injunction restraining the 1st respondent or its men or agents or servants or through anyone claiming through or under them from invoking and encashing the Bank Guarantee bearing No. 16340100000445 dated 01.06.2012 valid upto 27.02.2019 for a sum of Rs.90,14,500/- (Rupees ninety lakhs fourteen thousand five hundred only) issued by the 2nd respondent until disposal of the Arbitration proceedings.

O.A. No.699 of 2018:-

Original Application praying that this Hon'ble Court be pleased to pass an order of ad-interim injunction restraining the 1st respondent or its men or agents or servants or through anyone claiming through or under them from invoking and encashing the Bank Guarantee bearing No. 0910313BG0000719 dated 30.08.2013 valid upto 28.08.2018 for a sum of Rs.1,50,00,000/- (Rupees One Crore and Fifty lakhs only) issued by the 2nd respondent until disposal of the Arbitration proceedings.

For applicant ...

Mr.S.P.J.Rishikesh

For respondents ...

Mr.N.Ramesh
for R.1.

COMMON ORDER

O.A.Nos.697 to 699 of 2018 have been filed to pass an order of ad interim injunction restraining the first respondent or its men or its servant or its agent or any other person claiming through them or under them from terminating the contract dated 5/7/2012, 1/6/2012 and 30/8/2013, respectively, until the disposal of the arbitration proceedings.

2. From the materials available on record, it could be seen that vide order, dated 28/1/2019, this Court had granted an interim order and transferred the applications to the file of the Arbitrator for further course of action.

3. In view of the above, nothing survives for further adjudication. Accordingly, these Applications are closed. It is for the applicant to approach the Arbitrator under Section 17 of the Act.

Sd/.N.S.K.J.
30.09.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/13.10.2020 COURT OFFICER(O.S.)

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