

O.P.No.121 of 2016

Dr. G.JAYACHANDRAN, J.

Today, this matter is listed under the caption “For Being Mentioned” at the instance of the learned counsel for the petitioner in O.P.No.121 of 2016.

2. It is brought to the notice of this Court by the learned counsel for the petitioner that inadvertent mistakes have crept in paragraphs 15 and 16 of the order dated 21.02.2020 and prays for necessary corrections.

3. When the matter was listed for hearing on 21.02.2020, this Court disposed of the petition in O.P.No.121 of 2016 holding that the High Court of Madras have no jurisdiction over the subject matter of Arbitration proceedings held at Kerala, in pursuant to the order passed by the Kerala High Court. While in the penultimate paragraph of the order, this Court has said “any challenge to the award of Arbitrator so appointed by the Kerala High Court shall be only within the jurisdiction of the Kerala High Court.” However, in the final paragraph of the order, this Court has inadvertently said that the parties are given liberty to approach Kerala High Court if they so desired. Instead, it should be the Court within the jurisdiction of Kerala High Court. Hence the said error crept inadvertently is amended and the final paragraph of the order

shall be read as below:-

“In the result, the O.P. is dismissed with liberty to the parties to approach the territorial jurisdiction of Kerala High Court and the time consumed between the filing of this Original Petition (18.01.2016) till the disposal of the petition on 21.02.2020 and thereafter the amendment of the order (08.02.2021) shall be excluded from reckoning the period of limitation.”

4. In paragraph No.15 of the order, the word 'Ernakulam' found in between Manjeri and Kerala is an error crept inadvertently, so it has to be amended. Accordingly, the word “Ernakulam” is to be deleted in the 2nd line of paragraph 15.

5. Hence, Registry is directed to carry out necessary correction in paragraph Nos. 15 and 16 of the original order dated 21.02.2020 and re-issue the copy of the amended order to the petitioner.

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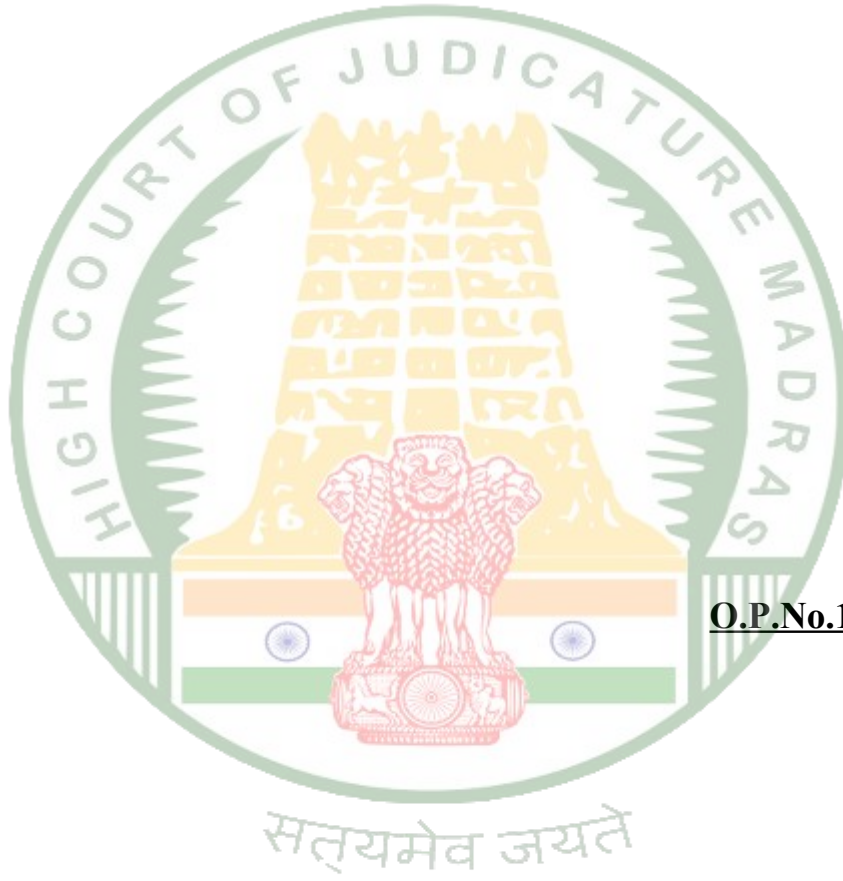
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Note: Issue order copy on 09.02.2021

Dr.G.JAYACHANDRAN,J.

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