

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.10.2020

Coram

THE HONOURABLE MR. JUSTICE M.SUNDAR

CMP.No.11319 of 2020
in
CMA.No.SR67992 of 2020
(Filing Number)
and
CMP.No.SR67995 of 2020
(Filing Number)
in
CMA.No.SR67992 of 2020
(Filing Number)
&
CMA.No.SR67992 of 2020
(Filing Number)

China Datang Technologies & Engineering Co. Ltd.,
4th and 6th Floor, No.120, Zizhuyuan Road
Haidian District, Beijing- 100097
People's Republic of China
Through Mr.He Huang
Residing at A 31/7, Maruti Housing Colony
Sector 28, Gurugram, Haryana
India - 122 002 presently at New Delhi ... Petitioner/

Appellan sought to be

preferred in cma sr.

vs.

1. NLC India Limited
First Floor, No.8, Mayor Sathyamurthy Road
FSD, Egmore Complex of Food Corporation of India
Chetpet, Chennai - 600 031
Tamil Nadu

2. Yes Bank Limited
Fortune Global
Arcade, Sikanderpur
Methrauli Gurgaon Road
Gurgaon-122 002, Haryana
Respondents/

...

Respondents

Civil Miscellaneous Petition filed under Section 151 of the Code of Civil Procedure, 1908 to dispense with the production of the certified copy of the Fair and Decretal order dated 06.10.2020 in Arb.O.P.No.101 of 2020 on the file of learned District Judge, Cuddalore.

For Petitioner : Mr.M.S.Krishnan

Senior Counsel

Instructed by

Mr.Anirudh Krishnan

Mr.Adarsh Subramanian

& Mr.K.Shiva

For Respondents : Mr.N.Nithianandam
for R1

ORDER

Mr.M.S.Krishnan, learned senior counsel instructed by Mr.Anirudh Krishnan, Mr.Adarsh Subramanian & Mr.K.Shiva, counsel on record for the petitioner in the captioned CMPs / appellant in the captioned CMA and Mr.N.Nithianandam, learned counsel, who had accepted notice on behalf of contesting first respondent, namely NLC India Limited, are before me in this web-hearing on a video-conferencing platform.

2.Counsel on record for petitioner seeks leave of this Court to withdraw the captioned main CMA along with two captioned CMPs. To be noted, counsel on record for the petitioner/appellant has also filed a memo dated 12.10.2020, which reads as follows:

'MEMO FOR WITHDRAWAL

It is submitted that the present appeal was preferred by the Appellant herein challenging the order dated 06.10.2020 ("impugned order") passed in Arb. O.P. No. 101 of 2020 by the Learned District and Sessions Judge, Cuddalore.

It is submitted that the Appellant herein is withdrawing the present appeal vide the present memo seeking liberty to pursue appropriate remedy as may be necessary. It is therefore humbly prayed that this Hon'ble Court may be pleased to take the present memo on record and dispose of the present appeal as withdrawn with liberty to the Appellant herein to pursue appropriate remedy as may be necessary and thus render justice.'

3. In the light of the aforesaid memo and reiteration of the contents of the memo in the hearing, captioned main CMA and two captioned CMPs stand dismissed as withdrawn albeit preserving the rights and contentions of both parties i.e., petitioner and contesting first respondent to be pursued in the other matter/other fora. There shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gpa

To
The District Judge, Cuddalore.

CMP.No.11319 of 2020 in
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(Filing Number) and
CMP.No.SR67995 of 2020
(Filing Number) n
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(Filing Number) &
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(Filing Number)

SAI (CO)
RMP (03/11/2020)