

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 10TH DAY OF FEBRUARY 2020

THE HON'BLE MS. JUSTICE P.T.ASHA

A.4800 of 2019
in
O.P.No.736 of 2017

Petition filed challenging the Award dated 14.08.2017 passed by Sole Arbitrator Justice K.Chandru (Retd Judge, High Court, Madras) in the matter of Arbitration & Conciliation Act, 1996 between M/s. A.S.Cargo Movers Private Limited and SIPCOT concerning in the Lease Deed dated 17.07.2008.

M/s. A.S.Cargo Movers Private Limited
Represented by its Managing Director
Mr.Amar Rahman
New No.173, Old No.103,
9th Floor, Block-B, Navin's Presidium
Nelson Manickam Road, Aminjikarai
Chennai 600 029. : Petitioner

Vs.

State Industries Promotion Corporation of Tamil Nadu Limited
Represented by its
Managing Director
19-A, Rukamani Lakshmipathy Road
Egmore, Chennai 600 008. :Respondent

A.No.4800 of 2019:

M/s. A.S.Cargo Movers Private Limited
Represented by its Authorised Signatory,
Mr.A.Karthick,
New No.173, Old No.103,
9th Floor, Block-B, Navin's Presidium
Nelson Manickam Road, Aminjikarai
Chennai 600 029. : Applicant/Petitioner

State Industries Promotion Corporation of
Tamil Nadu Limited
Represented by its
Managing Director
19-A, Rukamani Lakshmipathy Road
Egmore, Chennai 600 008.

:Respondent/Respondent

This application praying that this Hon'ble court be pleased to set aside and restore the order dated 07/06/2019 in O.P.No.736 of 2017 which was dismissed for default vide order dated 07/06/2019.

This application coming on this day before this court for hearing the court made the following order:

The above application is filed by the applicant for setting aside and restoring the O.P.No.736 of 2017, which was dismissed for default by orders of this Court dated 07.06.2019.

2. The note sheet would show that the respondent has not been appearing before this Court. Today, the learned counsel for the applicant has made his submissions. The reasons for the dismissal for default is narrated in paragraph 3 of the affidavit filed in support of the Judges Summons. The same contentions have also been argued by the learned counsel for the applicant.

3. This Court finds considerable force in the said arguments and accordingly, this application is allowed and the O.P.No.736 of 2017 is restored to file. The O.P is posted for final disposal on 09.03.2020.

Sd/.P.T.A.J.
10.02.2020

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

SU/14.02.2020

COURT OFFICER