

O.A.No.1084 of 2018
and
A.No.8970 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27/7/2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.A.No.1084 of 2018

and

A.No.8970 of 2018

Resurgent Power Projects Limited
rep. By its Chief Operation Officer
Mr.N.K.Gopinath
Chennai 600 008.

Applicant

Vs

Jeppiaar Power Corporation Limited
rep. By its Managing Director
Mr.Remibai Jeppiaar
No.29 Ganapathy Street
Royapettah
Chennai 600 014.

Respondent

Applications filed under XIV Rule 8 of Original Side Rules, 1956
r/w. Section 9 of the Arbitration and Conciliation Act, 1996.

For applicant

...

Mr.Aditya Raj
for Mr.Richardson Wilson

For respondent

...

Mr.Sankaranarayanan

ORDER

Application No.1084 of 2018 has been filed to grant an order of interim injunction restraining the respondent from preventing the applicant from removing the machineries, equipment and goods described in Schedule B invoices from the property comprised in S.Nos.129/1,2; 130; 131/1,2,3,4,5,6,7,8,9,,10,11,12,13, 14,15,16,132/1,2,3,4,5,6,7, 8,9,13,14; 133/1,2,3,4,5,6,11,12 and 13 admeasuring about 39.92 acres in Kancheepuram District.

2. Application No.8970 of 2018 has been filed to direct the respondent to furnish security to the tune of Rs.74,79,38,003/- failing which direct attachment of the Schedule A mentioned properties pending arbitral proceedings.

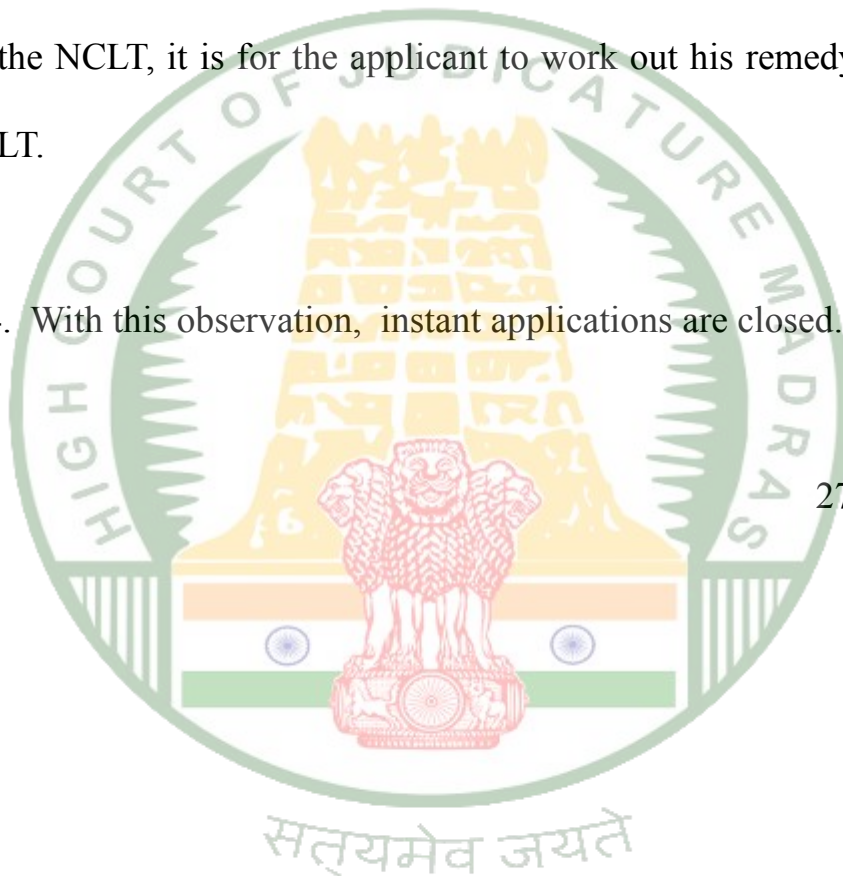
3. Today, when the matters are taken up for hearing through Video Conferencing, learned counsel appearing for the appellant submitted that arbitration has so far not been initiated from the year 2018. In the meanwhile, respondent Company is also went on

liquidation and liquidator has also been appointed on 24/5/2020. In such a view of the matter, this Court is of the view that no further order is required to be passed. In view of the fact that entire matter is before the NCLT, it is for the applicant to work out his remedy before the NCLT.

4. With this observation, instant applications are closed.

27/7/2020

mvs.



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N.SATHISH KUMAR,J

mvs.



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