



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY THE 03RD DAY OF AUGUST, 2021

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.P.NO.960 OF 1997

In this matter of Arbitration

And

In the matter of Award in the disputes between Shri T.Deenadayalan, No.2H, Madras Road, Tiruttani, Pin – 631 209, and Chief Engineer, Madras Zone, Island Grounds, Madras-600 009.

Sole Arbitrator,
Office of the Standing Panel
of Arbitrators,
5, Campbel Lines,
Nehru Road,
Lucknow Cantt-226 002.
Rep.by N.K.Jain EE,
Garrism Engineer, Tambaram.

...Petitioner

Vs

1) The Chief Engineer,
Madras Zone, Island Grounds,
Chennai – 600 009.

2) Shri T.Deenadayalan,
No.2H, Madras Road, Tiruttani - 631 209.

...Respondents

Original Petition praying that this Hon'ble Court be pleased to (a)
Permit the petitioner to file the Original Award dated 14-11-1991 along
with all exhibits, documents etc. Forming part of the Arbitration
proceedings:

(b) Direct the Respondents to pay the cost of the proceedings. This



Original Petition coming on this day before this court for hearing in the presence of Mr.K.Srinivasamurthy, SPCGSC, appearing for the 1st respondent herein and the petitioner herein not appearing in person or by advocate and upon reading the petition filed herein and this court having observed that as the dispute arose between the parties, in contract No.CEMZ/TBM/24/88-89, the contractor and Union of India had made 10 and 10 claims respectively and the learned arbitrator, after considering all the material documents, rejected the claim numbering 1-10 of the claimants and awarded a sum of Rs.6,19,600/- in favour of the Union of India, and **it is ordered:-**

That Union of India, shall be entitled to recover a sum of Rs.6,19,600/- (Rupees Six Lakhs Nineteen Thousand Six Hundred Only) after adjusting a sum of Rs.9,300/-(Rupees Nine Thousand Three Hundred Only) payable to the contractor.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS
THE 03RD DAY OF AUGUST 2021.

Sd./-

ASSISTANT REGISTRAR (O.S. II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments



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O.P.No.960 of 1997

ORDER

DATED : 03.08.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 08/09/2021

APPROVED ON: 08/09/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

C O R A M

DATED: 3/8/2021

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

O.P.No.960 of 1997

Sole Arbitrator

rep. by Mr.N.K.Jain EE

Garrism Engineer

Tambaram

Office of the Standing Panel of Arbitrators

5 Campbel Lines

Nehru Road

Lucknow Cantt 226 002.

... Petitioner

Vs

1. The Chief Engineer

Madras Zone

Island Grounds

Chennai 600 009.

2. T. Deenadayalan.

... Respondent

Original Petition has been filed under Section 14 (2) of the Arbitration and Conciliation Act, 1996, to permit the petitioner to file the original Award dated 14/11/1991 along with all exhibits, documents, etc., forming part of the Arbitration proceedings.



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For petitioner	...	Mr.C.Krishnan No appearance
For respondents	...	Mr.K.Srinivasamurthy SPCGSC for R.1.

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ORDER

This Original Application has been filed to permit the petitioner to file the original Award dated 14/11/1991 along with all exhibits, documents, etc., forming part of the Arbitration proceedings.

2. There is no representation on behalf of the petitioner. Heard Mr.K.Srinivasamurthy, SPCGSC, for the first respondent.

3. As the dispute arose between the parties, in Contract No.CEMZ/TBM/24/88-89, the Contractor and Union of India had made 10 and 10 claims, respectively. The learned Arbitrator, after considering all the material documents, rejected the claim numbering 1 – 10 of the claimants and awarded a sum of Rs.6,19,600/- in favour of the Union of India.



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4. On a careful perusal of the award, what comes to be known is that no challenge has been made to the award all these days. This Court has passed judgment in terms of the award. Accordingly, Union of India is entitled to recover a sum of Rs.6,19,600/- after adjusting a sum of Rs.9,300/- payable to the Contractor.

5. Accordingly, this Original Petition is ordered.

Sd./-N.S.K.J
03.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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