

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

O.S.A.Nos.72 to 74 of 2021

M/s Talwar Mobiles Private Limited
Patny Plaza, No.160, Sardar Patel Road
Viman Nagar, Begumpet, Hyderabad
Telangana - 500 003
rep. by its Authorised Signatory

... Appellant in
all appeals

Vs.

Hyundai Motors India Limited
Plot No.H-1, Sipcot Industrial Park
Irrungatukottai, Sriperumbudur Taluk
Kancheepuram - 602 117.

... Respondent in
all appeals

Prayer: Appeals filed under Order XXXVI, Rule 9 of Original Side Rules read with Clause 15 of the Letters Patent against the Judgment and decretal order dated 23.12.2020 made in A.Nos.1872, 1868 and 1867 of 2020.

For Appellant : Mr.Omprakash
Senior Counsel
for M/s.S.Deepika

For Respondent : Mr.Kalyan Jhabakh
For M/s. Surana and Surana

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

The appeals arise out of a final order passed on petitions under Section 9 of the Arbitration and Conciliation Act, 1996.

2. The parties have now agreed to go to arbitration with Justice K.Kannan (Retired) as the Arbitrator.

3. In the light of amended Section 9 of the Act, the parties are permitted to carry their prayer for interim measures before the Arbitrator under Section 17 of the Act of 1996. It is made clear that if any application in such regard is pursued, it will be open to the Arbitrator to decide the same without being unduly influenced by the observations in the order impugned herein.

4. It is hoped that the reference is taken up by the Arbitrator agreed to between the parties as expeditiously as may be convenient to the Retired Judge. It is also hoped that any request for interim measures receives the immediate attention of the Arbitrator.

O.S.A.Nos.72 to 74 of 2021, along with CMP Nos.2699, 2701 and 2703 of 2021 are disposed of. There will be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

TO:

The Hon'ble Mr.Justice K. KANNAN(Retd.,)
New No.22, Gilchrist Avenue,
Opp. Harington Road,
Chetput, Chennai-31.

+1 cc to M/s.S.Deepika, Advocate Sr.No.13890

O.S.A.Nos.72 to 74 of 2021

PM(CO)
RMP(24/03/2021)

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