

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 20TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No. 644 of 2006

In the matter of Arbitration and
Conciliation Act, 1996

(Act 26 of 1996)

And

In the matter of Arbitration Award
dated 29-06-2002 in case No.13
passed by Sri.N.C.Vijairagavan
Arbitrator.

1. M/s. S.R. Travels,
No.52, Moosa Street,
T.Nagar, Chennai – 17.

2. Mr. P.S. Murali,
C/o. M/s. S.R. Travels,
No.52, Moosa Street,
T.Nagar, Chennai – 17.

... Petitioners

-Vs-

1. Apna Finance (India) Ltd.,
No.220, T.T.K. Road,
Alwarpet, Chennai – 600 018.

... 1st Respondent

2. N.C. Vijairagavan,
Arbitrator,
Block No.A1, Door No. 89/1,
5th Street, Anna Nagar,
Chennai – 600 040.

... 2nd Respondent

Original Petition praying that this Hon'ble Court may be pleased
to (1) set aside the Arbitral Award passed on 29.06.2002 in case No.13 by

the learned Arbitrator Sri.N.C. Vijairagavan. (2) Direct the First Respondent to pay cost of the Petition.

This Original Petition along with the O.P.No.635 of 2006 coming on this day before this court for hearing in the presence of Mr.R.Amizhadhu, Advocate for the Petitioners herein and Ms.Harini for M/s. M.B. Gopalan, Advocate for the 1st Respondent herein and upon reading the petition and the award dated 29/06/2002 filed in O.P.No.644 of 2006 and the learned Counsel for the petitioner submitting that despite his best efforts to contact the petitioner, he has been unable to do so and the Original Petition is of the year 2006 and it can be inferred that the petitioner is not interested in prosecuting the petition **it is ordered as follows:-**

That the original petition in O.P.No. 644 of 2006 be and is hereby dismissed for non prosecution.

2. That there shall be no costs of this Petition.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 20TH DAY OF DECEMBER 2021.

Sd/-

ASSISTANT REGISTRAR (O.S.-II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

ED
27.12.2021

O.P.No. 644 of 2006

ORDER:

DATED : 20/12/2021

THE HON'BLE MR. JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 04/01/2022

APPROVED ON : 04/01/2022

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Original Petition praying that this Hon'ble Court may be pleased
to (1) set aside the Arbitral Award passed on 29.06.2002 in case No.13 by

the learned Arbitrator Sri.N.C. Vijairagavan. (2) Direct the First Respondent to pay cost of the Petition.

This Original Petition along with the O.P.No. 635 of 2006 coming on this day before this court for hearing, **the court made the following order:-**

Both these petitions have been listed under the caption "for dismissal" today.

2. Learned counsel for the petitioners in both the matters submits no instructions in both the matters. He would also submits that despite his best efforts to contact the petitioners, he has been unable to do so. The Original Petitions are of the year 2006. It can be inferred that the petitioners are not interested in prosecuting both the petitions.

3. In the result, both these Original Petitions are dismissed for non prosecution. No costs.

Sd./- A.Q.J.,
20.12.2021

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)
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