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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY THE 15TH DAY OF SEPTEMBER 2021

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.P.NO.847 OF 2010

In the matter of Sec.34 of the Arbitration
and Conciliation Act,1996

And

In the matter of the impugned Award dated
24th May 2010, passed by the Sole
Arbitrator Mr.S.Subramanian, National
Stock Exchange of India Limited

Ms.Balkies Ara,
Green View Hospital,
No.43, Egipura Main Road,
Vivek Nagar, Bangalore – 560 047.

...Petitioner

Vs

1. JM Financial Services Private Limited,
3rd Floor, Apeejay House,
3, Dinshaw Vacha Road,
(Near K.C.College), Church gate,
Mumbai – 400 021.

2. Mr.S.Subramanian,
Sole Arbitrator,
National Stock Exchange of India Limited,
2nd Floor, Ispahani Center,
Door No.123-124, Nungambakkam High Road,
Nungambakkam, Chennai – 600 034.

...Respondents

Original Petition praying that this Hon'ble Court be pleased to set



Arbitration Matter (A.M.)No.F&O/C-0210/2008 is arbitrary, unreasoned, contrary to principles of fair hearing, natural Justice and settled principles of law governing arbitration proceedings and probabilities of facts and circumstances of the case.

This Original Petition coming on this day before this court for hearing through video conferencing and the petitioner herein not appearing in person or by an advocate and upon reading the petition filed herein and this court having observed that this petition is pending from the year 2010 and non-appearance on behalf of the petitioner shows that she is not interested in prosecuting the case and, **it is ordered as follows:-**

(i) That the Original Petition No.847 of 2010 be and is hereby dismissed for default.

(ii) That there shall be no costs of this petition.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS
THE 15TH DAY OF SEPTEMBER 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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28/10/2021

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O.P.No.847 of 2010

ORDER

DATED : 15.09.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL:09/11/2021

APPROVED ON:09/11/2021

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

WEB COPY

DATE: 15.09.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**O.P.No.847 of 2010**

Ms. Balkies Ara,
Green View Hospital,
No.43, Egipura Main Road,
Vivek Nagar,
Bangalore-560 047.

... Petitioner

Vs.

1. JM Financial Services Pvt. Limited,
3rd Floor, Apeejay House,
3, Dinsaw Vacha Road,
(Near K.C.College), Church Gate,
Mumbai-400 021.

2. Mr. S.Subramanian,
Sole Arbitrator,
National Stock Exchange of India Limited,
2nd Floor, Ispahani Center,
Door No.123-124, Nungambakkam High Road,
Nungambakkam, Chennai-600 034.

... Respondents

Prayer: Original Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996, praying to set aside the Award dated 24th May 2010 passed by the 2nd respondent in Arbitration Matter (A.M.) No.F&O/C-0210/2008 is arbitrary, unreasoned, contrary to principles of fair hearing, natural justice and settled principles of law governing arbitration proceedings and probabilities of facts and circumstances of



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For Petitioner : No appearance

ORDER

(This case has been heard through video conference)

Today, when the matter taken up for hearing, none appeared on behalf of the petitioner, which shows that the petitioner is not interested in prosecuting the case.

2. In such view of the matter, as this petition is pending from the year 2010 and non-appearance on behalf of petitioner shows that she is not interested in prosecuting the case, this Original Petition is dismissed for default. No costs.

Sd./-N.S.K.J
15.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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