



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 16TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N. SATHISH KUMAR

O.P. No.99 of 2021

In the matter of Arbitration and
Conciliation Act 1996

And

In the matter of Disputes between
M/s.Johnson Lifts Private Limited and
Puduchery Agro Service and Industries
Corporation Limited.

M/s.Johnson Lifts Private Limited,
Rep. By its Authorised Signatory
Mr.Rose Blessed King
No.1, East Main Road,
Anna Nagar West Extension,
Chennai – 600 101.

. . . Petitioner

Versus

Puduchery Agro Service and Industries Corporation Ltd
Agro House,
Thattanchavady,
Puducherry-9.

. . . Respondent

**O.P. No.144 of 2021**

WEB COPY

Original Petition praying that this Hon'ble Court be pleased to appoint an Arbitrator to adjudicate the disputes that have arisen between the petitioner and the respondent under the said contract.

This Original Petition coming on this day before this court for hearing in the presence of Mr. A.R. Karunakaran, Advocate for the petitioner herein and Mr.J.M.Naveen, advocate for the respondent herein and upon reading the petition and the affidavit of Rose Blessed King filed herein and both the learned counsel having submitted that the parties have arrived at settlement and a sum of Rs. 4,56,000/- has been paid, however, it is submitted by the learned counsel for the petitioner that a sum of Rs. 28,160/- is still due, for which learned counsel for the respondent having submitted that the petitioner have to give No objection certificate and get the remaining amount of Rs. 28,160/- since it was admitted towards security, considering the fact that almost entire dispute has been resolved between the parties, referring the matter to be Arbitrator does not arise at all, **it is ordered as follows:-**

That the O.P. No.99 of 2021 be and is hereby closed



2. That the parties hereto, be and are hereby directed to workout for remaining amount and No objection certificate has to be given by the petitioner herein.

WITNESS, THE HON'BLE MR.JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT OF MADRAS AFORESAID, THIS THE
16TH DAY OF JULY 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/Decrees in this format.



NS

31.08.2021

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O.P. No.99 of 2021

ORDER
DATED 16/07/2021

THE HON'BLE MR. JUSTICE
N. SATHISH KUMAR

FOR APPROVAL: 30/09/2021

APPROVED ON: 01/10/2021

**THE HIGH COURT OF JUDICATURE AT MADRAS**

Date 16.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No. 99 of 2021

M/s.Johnson Lifts Private Limited,
Rep. By its Authorised Signatory
Mr.Rose Blessed King
No.1, East Main Road,
Anna Nagar West Extension,
Chennai – 600 101.

. . . Petitioner

Versus

Puduchery Agro Service and Industries Corporation Ltd
Agro House,
Thattanchavady,
Puducherry-9.

. . . Respondent

PRAYER : Petition filed under Section 11(6)(a) of Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to adjudicate the disputes that have arisen between the petitioner and the respondent under the said contract.

	For petitioner	:
Mr.A.R.Karunakaran		
	For respondent	: Mr.J.M.Naveen

ORDER

This original petition has been filed to appoint an Arbitrator to adjudicate the disputes that have arisen between the petitioner and the respondent under the contract entered into between them.



WEB COPY

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. It is submitted by both learned counsel that the parties have arrived at settlement and a sum of Rs.4,56,000/- has been paid. However, it is submitted by the learned counsel for the petitioner that a sum of Rs.28,160/- is still due, for which, learned counsel for the respondent submitted that the petitioner have to give No objection Certificate and get the remaining amount of Rs.28,160/- since it was admitted towards security . Considering the fact that almost entire dispute has been resolved between the parties, referring the matter to the Arbitrator does not arise at all. Accordingly, this original petition is closed. The parties are directed to workout for remaining amount and No Objection Certificate has to be given by the petitioner.

Sd/- N.S.K.J.
16/07/2021

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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