



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 16TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P. No. 314 of 2020

and

A.No. 1256 of 2020

In the matter of Arbitration and  
Conciliation Act, 1966

and

In the matter of disputes between  
Ms. Equitas Small Finance Bank  
Ltd. And Mr.Deenadayalan R and  
another in respect of the loan  
Agreement No. ISETMBRM  
0069593 dated 21.06.2016.

Mr.Deenadayalan.R,  
S/o. Mr. Ramasamy,  
No. 64, Ayapakkam Colony,  
Thirukazhukundram, Kanchipuram – 603102.

2.Mrs.Anitha.D, W/o Mr.Deenadayalan.R,  
No. 64, Ayapakkam Colony,  
Thirukazhukundram, Kanchipuram – 603102.

... Petitioners / Applicants

Versus

M/s Equitas Small Finance Bank Limited  
(Formerly known as M/s. Equitas Finance Limited)  
Rep. by it's a.L.M. Mr. Francis Rozario Arun Raj,  
Spencer Plaza, 4<sup>th</sup> Floor, Phasell, No.769, Mount Road,  
Anna Salai, Chennai – 600 002

. . . Respondent / Respondent



Original Petition praying that this Hon'ble Court be pleased to set aside the final award dated 11.11.2019 passed by the Arbitrator under the Agreement dated 21.06.2016 with costs.

A.No. 1256 of 2020

Application praying that this Hon'ble Court be pleased to stay the execution of Award in Arbitration Award No:VP/SME/404/2019 dated 11.11.2019 till the final disposal of the above original petition.

This Original Petition along with the application coming on this day before this court for hearing in the presence of Mrs. P.Uma, Advocate for the petitioner in O.P. No. 314 of 2020 and for the applicants in A.No. 1256 of 2020 and Mrs. A.S.Neela Narayani, Advocate for the respondent in O.P. No. 314 of 2020 and A.No. 1256 of 2020 and upon reading the petition and the award dated 11/11/2019 and the memo dated 16/08/2021 filed in O.P. No. 314 of 2020 and the order herein dated 12/10/2020 and, while disposing the Original Petition 314/2020, it is ordered as follows:-

That the respondent bank be and is hereby directed to return all the original documents to the petitioners within a period of two (2) weeks from the date of receipt of a copy of this order.



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3. That there shall be no cost of this petition.

Schedule



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07/09/2021

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O.P. No. 314 of 2020  
and  
A.No. 1256 of 2020

ORDER

DATED : 16.08.2021

THE HON'BLE MR. JUSTICE  
N.SATHISH KUMAR

FOR APPROVAL: 14/09/2021

APPROVED ON: 15/09/2021



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

Dated 16.08.2021

CORAM:

**THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**

**O.P.No. 314 of 2020**

**and Application No.1256 of 2020**

1. Mr.Deenadayalan.R

2.Mrs.Anitha.D

. . . Petitioners

Versus

M/s Equitas Small Finance Bank Limited  
(Formerly known as M/s. Equitas Finance Limited)  
Rep. by it's a.L.M. Mr. Francis Rozario Arun Raj,  
Spencer Plaza, 4<sup>th</sup> Floor, Phasell, No.769, Mount Road,  
Anna Salai, Chennai – 600 002

. . .Respondent

**PRAYER :** Petition filed under Section 34(2)(a)(iii)(b)(ii) of the Arbitration and Conciliation Act, 1996 to set aside the final award dated 11.11.2019 passed by the Arbitrator under the agreement dated 21.06.2016 with costs.

For Petitioners : Mrs. P.Uma

For Respondent : Mrs.A.S.Neela Narayani

**ORDER**

This original petition has been filed to set aside the final award dated 11.11.2019 passed by the Arbitrator under the agreement dated 21.06.2016 with costs.

~~2 Heard~~ the learned counsel for the petitioners and the learned



counsel for the respondent.

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3. Learned counsel for the petitioners has filed a Memo dated 16.08.2021 stating that the petitioners has paid the amount for a sum of Rs.80,000/- (Rupees eighty thousand only) in full quit to the respondent and a copy of Demand Draft is also filed before this Court. The said Memo is taken on record.

3. In such view of the matter, this original petition is disposed of and the Memo dated 16.08.2021 shall form part and parcel of this Order. No cost. Consequently, connected application is closed.

4. The respondent Bank is directed to return all the original documents to the petitioner within a period of two(2) weeks from the date of receipt of a copy of this order.

Sd./-N.S.K.J.  
16.08.2021

//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.