

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 18TH DAY OF MARCH 2021

THE HON'BLE MS. JUSTICE P.T.ASHA

O.A. No.166 of 2021
in
A.No.1098 of 2021

In the matter of Arbitration and
Conciliation Act of 1996
and
Arising out of Trade Facilitation
Agreement dated 08.10.2020
Between the Applicants and
Respondents

SAMUNNATI AGRO SOLUTIONS PVT. LTD.,
Represented by its Senior Manager D.Vijayakarhi,
Having Office at Baid Hi Tech Park,
8th Floor, No.129, B East Coast Road,
Thiruvanniyur, Chennai - 600 041.

..Applicant/Applicant
in both applications

-Vs-

1. M/S.CASTLE DISTRIBUTORS PVT LTD.,
Green Plaza, 67, Maharishi Debendra Road,
4th Floor, Room No.401,
Kolkatta, West Bengal - 700 006.

2. SANJAY KUMAR KEJRIWAL,
Club Town, Block 6, Flat 4/A/B, V.I.P.Road,
Haldiram, Rajarhat Gopalpur (m),
North Parganas, West Bengal - 700 052.

..Respondents/Respondents
in both applications

O.A.No.166 of 2021:

Original Application praying that this Hon'ble Court be pleased to pass an order of Interim Injunction restraining the 2nd Respondent from traveling abroad without the prior approval of this Hon'ble Court.

A.No.1098 of 2021:

Application praying that this Hon'ble Court be pleased to grant an order of Interim Direction to the Respondents to disclose on oath all their movable and immovables assets before this Hon'ble Court.

These Original Application and Application are coming on this day before this court for hearing the court made the following order:

The above applications have been filed for restraining the second respondent from travelling abroad without the approval of this court. The applications are filed invoking powers of this Court under Section 9 of the Arbitration and Conciliation Act. The subject matter of the agreement is for securing amounts due under the agreement. The provision of Section 9 is in the form of interim measure of protection of the subject matter of the dispute and for securing the amounts that are in dispute. The prayer that is sought will not come within the provisions of Section 9 1(e), as the said provision has to be read in conjunction with the purpose for introducing Section 9 in

the Statute book. The interim measures that can be granted should relate to the subject matter of the Arbitral Agreement. In these circumstances, I do not find any justification in the prayer sought for in these applications and the same stand dismissed.

Sd/.P.T.A.J.
18.03.2021

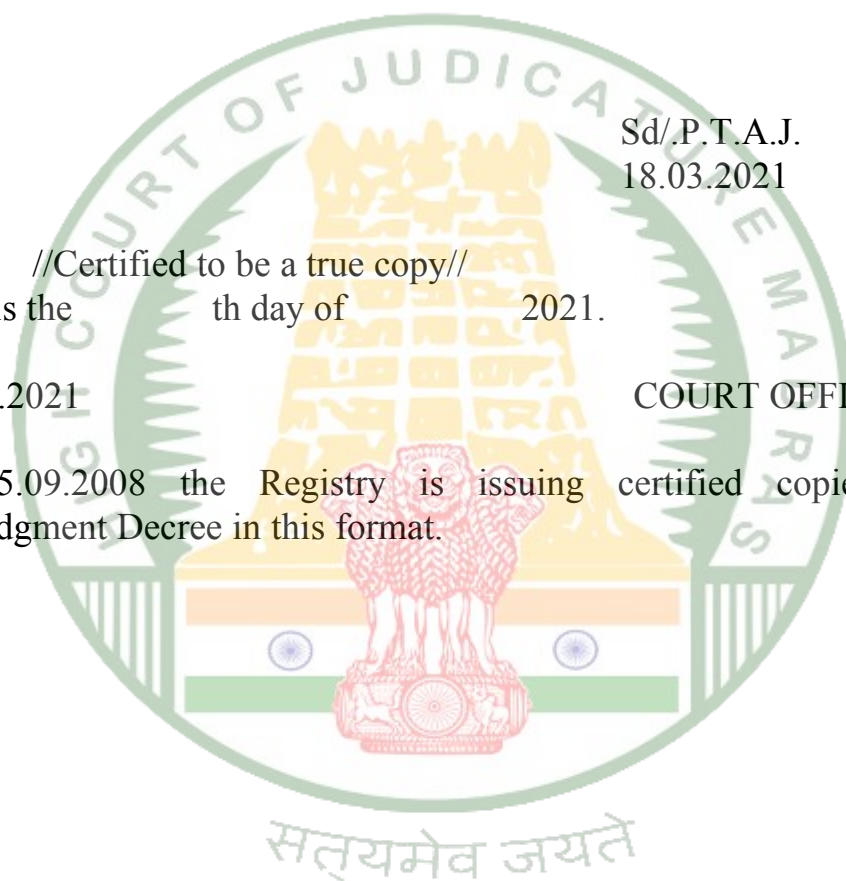
//Certified to be a true copy//

Dated this the th day of 2021.

Su.07.04.2021

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



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