



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 6TH DAY OF JULY, 2021

THE HON'BLE MR. JUSTICE N. SATHISH KUMAR

O.P. No.20 of 2013

In the matter of Arbitration &
Conciliation Act, 1996 Arb. Case No.
1 of 2010 arising out of O.P. No. 657
of 2010 of High Court, Madras & In
the matter of Agt. No.101/E/MAS
dated 29.10.2007

1.The Union of India, rep. by the
General Manager, Southern Railway,
Park Town, Chennai – 600 003.

2. The Divisional Railway Manager (Works),
Chennai Division, Southern Railway,
Park Town, Chennai – 600 003.

...Petitioners

Vs.

1.Mr. K.S. Baburaj,
12/14, 3rd Cross Street,
Karpagam Garden,
Adyar, Chennai-600 020.

2.Mr. Justice Malai Subramanian,
Judge, High Court, Madras (Retd.)
Thendral Colony, Anna Nagar (W),
Chennai 600 040.
(Sole Arbitrator).

...Respondents

<https://hcservices.ecourts.gov.in/hcservices/> Original Petition praying that this Hon'ble Court be pleased to set

aside the Award dated 24.09.2011 passed by the 2nd Respondent herein in



Arb. Case No.1 of 2010 arising out of O.P. No.657 of 2010 of the file of High Court Judicature at Madras, in respect of Claim Nos.1, 3 and 8, besides the constitution of the Arbitral Tribunal.

This Original Petition coming on this day before this court for hearing in the presence of Mr. Amalaraj S. Penkilapatti, advocate for the 1st respondent herein and the petitioners herein not appearing in person or by advocate and upon reading the petition and the award dated 24/09/2011 filed herein and the order herein dated 16/12/2013 and the learned counsel for the 1st respondent having submitted that pursuant to the order of this court dated 16/12/2013, the petitioner/Railways has paid the amount to the first respondent and this court doth recording the said submission and, it is ordered as follows:-

That the O.P. No. 20 of 2013, be and is hereby dismissed.

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

WITNESS THE HON'BLE JUSTICE MR. SANJIB BANERJEE, THE CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 6TH 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.)



VF-23.07.2021

O.P. No.20 of 2013

ORDER :-

DATED: 06.07.2021

THE HON'BLE MR. JUSTICE
N. SATHISH KUMAR

FOR APPROVAL: 21.09.2021

APPROVED ON: 22.09.2021



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 06.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No.20 of 2013

1.The Union of India, rep. By the
General Manager, Southern Railway,
Park Town, Chennai – 600 003.

2. The Divisional Railway Manager (Works),
Chennai Division, Southern Railway,
Park Town, Chennai – 600 003.

. . . Petitioners

Versus

1.Mr.K.S.Baburaj

2.Mr.Justice Malai Subramanian,
Judge, High Court, Madras (Retd.)
Thendral Colony, Anna Nagar (W),
Chennai 600 040.
(Sole Arbitrator).

. . . Respondents

PRAYER : Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 to set aside the arbitral award dated 24.09.2011 passed by the 2nd respondent herein in Arb.Case No.1 of 2010 arising out of O.P.No.657 of 2010 of the file of High Court Judicature at Madras, in respect of Claim Nos.1,3 and 8, besides the constitution of the Arbitral Tribunal.

For Petitioners : No appearance

**ORDER**

WEB COPY

This original petition has been filed to set aside the arbitral award dated 24.09.2011 passed by the 2nd respondent herein in Arb.Case No.1 of 2010 arising out of O.P.No.657 of 2010 of the file of High Court Judicature at Madras, in respect of Claim Nos.1,3 and 8, besides the constitution of the Arbitral Tribunal.

2.Heard the learned counsel for the first respondent and there is no representation for the petitioner.

3. It is submitted by the learned counsel for the first respondent that pursuant to the order of this Court dated 16.12.2013, the petitioner-Railways has paid the amount to the first respondent. The said submission is recorded.

4. In view of the above, this original petition is dismissed. No costs.

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

06/07/2021

// Certified to be true copy//

Dated at Madras this day of 2021.

Court Officer(O.S.)

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