



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 27TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P. No. 119 of 2018

In the matter of Arbitration &
conciliation Act 1996.

and

In the matter of dispute

The Executive Engineer, CPWD,
CCD-II, Shastri Bhavan,
Haddows Road, Chennai – 600
006.

and

Shri.K.Ramkumar,
Contractor, 29/22, Sundaram
Street, Arakkonam – 632 001.

IN PERTAINING TO
CONTRACT AGREEMENT
NO.16/CCDII/1998-1999-

Construction of additional office
Accommodation for Customs
House, Chennai SH: Structure i/c
internal Water supply and
Drainage.

The Executive Engineer
CPWD, CCD-II, Shastri Bhavan,
Haddows Road, Chennai – 600 006.

... Petitioner

Vs.

K.Ramkumar
Contractor,
29/22, Sundaram Street,
Arakkonam – 632 001.

...Respondent



WEB COPY Original Petition praying that this Hon'ble Court be pleased to:

- a. To set aside the orders of the sole Arbitrator dated 01.07.2017 and 16.08.2017 and the Final Award dated 28.09.2017 granting a sum of Rs.26,74,000/- (Rupees Twenty Six Lakhs Seventy Four Thousand Only) and consequently modify the award for admitting and awarding the claims of Rs.93,36,825/- (Rupees Ninety Three Lakhs Thirty Six Thousand Eight Hundred and Twenty Five Only) with interest at 18% p.a. made by the petitioner.
- b. Costs of the present petition.

This Original Petition coming on this day before this court for hearing in the presence of Mr.G.Vijaya Kumar, Advocate for the respondent herein and the petitioner herein not appearing in person or by advocate and upon reading the petition and the award dated 28.09.2017 filed herein and this Court having observed that the Original petition is still pending before this Court from 2018, the petitioner is not interested to prosecute the case, it is ordered as follows:-

That the O.P.No. 119 of 2018, be and is hereby dismissed for non-



2. That there shall be no order as to Costs in this Original Petition.

WEB COPY

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS
THE 27TH DAY OF AUGUST 2021.

Sd/-

ASSISTANT REGISTRAR (O.S. II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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EVK
WEB COPY 21/09/2021

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O.P.No. 119 of 2018

ORDER

DATED : 27.08.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 21/09/2021

APPROVED ON: 21/09/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.8.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

O.P.No.119 of 2018

The Executive Engineer
CPWD, CCD-II, Shastri Bhavan,
Haddows road, Chennai - 600 006.

... Petitioner

Vs.

K.Ramkumar
Contractor,
29/22, Sundaram Street,
Arakkonam - 632 001.
...Respondent

PRAYER : Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 to set aside the orders of the sole Arbitrator, dated 1.7.2017 and 16.8.2017 and the final award, dated 28.9.2017 granting a sum of Rs.26,74,000/- and consequently, modify the award for admitting and awarding the claims of Rs.93,36,825/- with interest at 18% p.a. Made by the petitioner and for costs.

For Petitioner : No appearance
For Respondent : Mr.G.Vijayakumar



Despite several adjournments granted by this Court to the petitioner, when the matter is posted today for hearing, none appeared for the petitioner. The Original petition is still pending before this Court from 2018. The petitioner is not interested to prosecute the case.

In view of the above, the original petition is dismissed for non prosecution. No costs.

Sd./-N.S.K.J.
27.08.2021

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

COURT OFFICER(O.S.)
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