

C.M.P.No.14599 of 2019
in O.S.A.No.74 of 2018

THE HON'BLE CHIEF JUSTICE
and
SENTHILKUMAR RAMAMOORTHY, J.

(Order of the Court was made by The Hon'ble Chief Justice)

C.M.P.No.14599 of 2019 is treated as on the day's list by consent of parties and is taken up for consideration.

2. This petition is for restoration of the appeal bearing O.S.A. No.74 of 2018. Such appeal was directed against an order of March 12, 2019 passed on a petition under Section 34 of the Arbitration and Conciliation Act, 1996. By the order of March 12, 2019, the challenge to the arbitral award was completely repelled. Though the appeal may have been filed on time, it transpires that for lack of diligence on the part of appellant, it was dismissed for default; hence the present application for restoration or re-admission of the appeal.

The Hon'ble Chief Justice

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and
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(sra)

3. It is fairly submitted on behalf of the appellant in O.S.A.No.74 of 2018 that in view of the law as it stands, there is little room to question the propriety of the order impugned or the grounds on which the challenge to the arbitral award has been repelled.

In view of such submission, C.M.P.No.14599 of 2019 is dismissed as no useful purpose would be served in re-admitting an appeal which has been dismissed for default only for the purpose of dismissing the appeal in terms of the concession made on behalf of the appellant.

(S.B., C.J.) (S.K.R., J.)
15.02.2021

sra

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