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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 1ST DAY OF JULY, 2021

THE HON'BLE MR. JUSTICE N. SATHISH KUMAR

O.P. No.244 of 2016

In the matter of Arbitration
and Conciliation Act 1996

And

In the matter of S. Sasikala

Vs

Subway System India Pvt. Ltd.
Milford, USA

S. Sasikala
Subway Store - 39997,
103-107, Nilgiris Building,
T.V.Sami Road (West),
R.S.Puram, Coimbatore, India.

..Petitioner

Vs.

1. Subway System India Private Ltd. (SSIPL)
325, Bic Drive,
Milford, CT 06461
United States of America.

2. Subway Systems India Private Ltd,
B 11/1, Okhla Industrial Area,
Phase 2, New Delhi 110 020.

3. Subway Systems India Private Ltd,
159, 2nd, 'A' Cross, 4th Main
Domlur Second Stage, Domlur,
Bengaluru - 560 071.

4. International Centre For Dispute Resolution,
International Arbitration Tribunal,
American Arbitration Association



120 Broadway, 15th Floor,
New York, NY 10271-0016
United States of America

..Respondents

Original Petition praying that this Hon'ble Court be pleased to refuse the enforcement of foreign award dated 11/02/2016 passed by the 4th Respondent, namely, International Centre for dispute resolution International Arbitration Tribunal, vide the reference case No.01-15-0002-9117 SSIPL Vs. S. Sasikala forthwith.

This Original Petition coming on this day before this court for hearing in the presence of Mr. V. Manohar, Advocate for the Petitioner herein and Ms. T. Gayathri for M/s. Rajkumar Jhabakh, Advocates for the respondent herein and upon reading the petition filed herein and the learned counsel for the petitioner submitting that nothing survives in this original petition and the same may be dismissed as infructuous, it is ordered as follows:-

That the Original Petition No. 244 of 2016, be and is hereby dismissed as infructuous.

WITNESS THE HON'BLE JUSTICE MR. SANJIB BANERJEE, THE CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 1ST 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-13.07.2021

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O.P. No.244 of 2016

ORDER :-

DATED: 01.07.2021

THE HON'BLE MR. JUSTICE
N. SATHISH KUMAR

FOR APPROVAL: 26/07/2021

APPROVED ON: 27/07/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 1/7/2021

C O R A M

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

O.P.No.244 of 2016

S.Sasikala

...

Petitioner

Vs

1. Subway System India Private Ltd (SSIPL)
325 Bic Drive
Milford, CT 06461
United States of America.

2. Subway Systems India Private Ltd
B11/1 Okhla Industrial Area
Phase 2
New Delhi 110 020.

3. Subway Systems India Private Ltd
159, 2nd 'A' Cross, 4th Main
Domlur Second Stage, Domlur
Bengalur 560 071.

4. International Centre for Dispute Resolution
International Arbitration Tribunal
American Arbitration Association
120 Broadway, 15th Floor
New York, NY 10271-0016
United States of America.

...

Respondents

Original Petition has been filed under Section 48 of the Arbitration and Conciliation Act, 1996, to refuse the enforcement of foreign award dated 11/2/2016 passed by the fourth respondent, namely, International Centre for Dispute Resolution International Arbitration Tribunal, vide,



reference Case No.01-15-0002-9117 SSIPL Vs. S.Sasikala forthwith.

For applicant

...

Mr.V.Manohar

For respondent

...

Ms.T.Gayathri
for M/s. Rajkumar Jhabakh

ORDER

This Original Application has been filed, for enforcement of foreign award, dated 11/2/2016, passed by the fourth respondent, namely, International Centre for Dispute Resolution, International Arbitration Tribunal, vide, reference Case No.01-15-0002-9117.

2. Today, when the matter is taken up for hearing through Video Conferencing, Mr.V.Manohar, learned counsel appearing for the petitioner submitted that nothing survives in this Original Petition and the same may be dismissed as infructuous.

3. In view of the submission made by the learned counsel appearing for the petitioner, this Original Petition is dismissed as infructuous.

Sd./-N.S.K.J.,
1/7/2021

// Certified to be true copy//

Dated at Madras this day of 2021.

Court Officer(O.S.)

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