

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 22ND DAY OF APRIL 2021

THE HON'BLE MR. JUSTICE DR.G.JAYACHANDRAN

O.A.Nos.448 and 449 of 2020
and
A.No.2216 of 2020

In the matter of Section 9 of the
Arbitration and Conciliation Act of
1996

And

In the matter of the Arbitration
Agreement contained in Investment
Agreement dated 27 November 2016
between the Applicants and the
Respondents

And

In the matter of the Arbitration
Agreement contained in Amended and
Restated LLP Agreement dated 2nd
February 2017 between the Applicants
and the Respondents

And

In the matter of the Arbitration
Agreement contained in the Amended
and Restated LLP Agreement dated
15th February 2018.

Eswara Reddy Deepalam Ramachandra,
S/o Ramachandra Reddy Deepalam,
Porkodi Street, 113, Muthumariamman Nagar,
Porur, Chennai 600 116.

... Applicant in all applications

1. Elior India Food Services LLP,
 Previously Known as
 Elior India Catering LLP,
 A limited liability partnership incorporated
 under Limited Liability Partnership Act, 2008,
 Represented by its Partner, Mr.Sanjay Kumar
 Unit No.001, Campus 3B, Ecospace,
 Outer Ring Road, Bellandur,
 Bangalore, Karnataka – 560 103.
 Previously at
 547, Nestates Pelladium
 16th A Main, 3rd Block Koramangala,
 Bengaluru – 560034.

2.CRCL LLP,
 A Limited liability partnership incorporated
 under Limited Liability Partnership Act, 2008,
 Second Floor Plot, No.15/16/17,
 Vision Tower, Yogam Garden,
 Brindavan Nagar, Valasaravakkam,
 Chennai – 600 087. ... Respondents in all applications

O.A. No.448 of 2020:-

Original Application praying that this Hon'ble Court be pleased to pass an order of interim injunction, restraining the 1st Respondent, its Principals, their men, servants, agents or any person claiming through them from in any manner taking any major financial decisions regarding the 2nd Respondent including liquidation, sale, etc., pending disposal of the arbitral proceedings.

O.A.No.449 of 2020:-

Original Application praying that this Hon'ble Court be pleased to pass an order of interim injunction restraining the 1st Respondent, its Principals, their men, servants, agents or any person claiming through them from in any manner interfering with the day-to-day operations of the 2nd respondent LLP pending disposal of the arbitral proceedings.

A.No.2216 of 2020:-

Application praying that this Hon'ble Court be pleased to direct the 1st Respondent to furnish security for the sum of Rs.7,96,32,122 (Indian Rupees Seven Crores Ninety Six Lakhs Thirty Two Thousand One Hundred and Twenty Two only) to secure the payments due to the Applicants, failing which attachment of the Partnership Interest of the 1st respondent in the 2nd respondent till the disposal of the Arbitral proceedings.

This original Applications and Application are coming on this day before this court for hearing the court made the following order:

These applications are filed under Section 9 of the Arbitration and Conciliation Act, 1996 for the interim reliefs pending adjudication by the Arbitrator.

2. After notice, it appears that the parties have settled their dispute amicably even before the Court referring the matter to the Arbitrator. Hence, the present memo is filed by the applicant to withdraw the application filed under Section 9 of the Arbitration Act.

3. Learned counsel for the respondent endorsed the submission made by the applicant counsel.

4. In view of the memo and submission, these applications are dismissed as withdrawn.

Sd/.DR.G.J.J.
22.04.2021

//Certified to be a true copy//

Dated this the th day of 2021.

su.23.04.2021

COURT OFFICER(O.S.)

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