

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 09TH DAY OF MARCH 2021

THE HON'BLE MS. JUSTICE P.T.ASHA

A. No.2892 of 2020

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of Arbitration of
dispute between M/s.Navayuga
Info Tech Private Limited and
M/s.ITI Limited and Tamil
Nadu Electricity Board, (now
known as TANGEDCO LTD.)
in relation to Award dated
11.06.2020

Tamil Nadu Generation and Distribution Corporation Limited,
(now known as TANGEDCO Ltd.,)
rep. by its Chief Engineer/IT,
144, Anna Salai, Chennai-600 002.

... Applicant

-Versus-

1. Navayuga Info Tech Private Limited,
rep. by its Authorised Signatory,
250/94, Parsn Apartment,
Flat No.14, 3rd Floor,
Lloyds Road, Gopalapuram,
Chennai-600 086.

2. ITI Limited,
Corporate Marketing,
Unit F-84, ITI Complex,
Doorvani Nagar, Bangalore-500 016.

... Respondents

3. State Bank of India,
C.C.G. Branch, Banjara Hills,
Hyderabad.

... Garnishee

Application praying that this Hon'ble Court be pleased to issue a prohibitory order prohibiting the 3rd respondent/Garnishee from paying any amount to the tune of Rs.93,36,24,640/- (Rupees ninety three crores thirty six lakhs twenty four thousand six hundred and forty only) to the 1st respondent or to any other third persons/parties/group companies and direct the Garnishee to deposit the said amount to the credit of the application.

This Application coming on this day before this court for hearing the court made the following order:

In the above matter, the award has been passed as early as on 11.06.2020. After the passing of the Award, the applicant has moved the Section 9 application for a prohibitory order restraining the 3rd respondent/Garnishee from paying a sum of Rs.93,36,24,640/- to the first respondent or any other 3rd persons/parties/group companies. The first bench of this Court by order dated 15.02.2021 in OSA.No.53 of 2021 has observed that the Arbitration and Conciliation Act covers all things pertaining to arbitration starting from the initiation of the arbitral proceedings by issuing notice under Section 21 of the Act till the Award is passed and the enforcement

then it is for the award holder to approach the executing court.

2. The above judgment would apply to the facts of this case and hence the application is dismissed. No costs.

Sd/.P.T.A.J.
09.03.2021

//Certified to be a true copy//

Dated this the th day of 2021.

su.08.04.2021

COURT OFFICER(O.S.)

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



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