



C.R.P.(PD).No.2524 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.(PD).No.2524 of 2021

and

C.M.P.Nos.18938 and 19154 of 2021

Pondicherry University
Represented by its Registrar,
Puducherry – 605 014.

.. Petitioner

Vs.

Infoplur Technologies Private Ltd.,
Represented by its Director,
Sakunthala Devi
61 Developed Plot Estate,
Perungudi, Chennai.

.. Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, praying to set aside the order dated 07.10.2021 in E.P.No.98 of 2021 in award dated 17.06.2019 (CNR No.PYPY01-000168-2021) passed by the learned II Additional District Judge, Puducherry.

For Petitioner : Mr.P.H.Aravind Pandiyan, Senior Counsel
for Mr.M.Ravi

For Respondent : Mr.D.Nellaiappan



C.R.P.(PD).No.2524 of 2021

ORDER

WEB COPY Heard Mr.P.H.Aravind Pandiyan, learned Senior Counsel appearing for the petitioner and Mr.D.Nellaiappan, learned counsel appearing for the respondent.

2. Challenge in this Revision is to the order passed by the executing Court directing attachment of the properties belonging to the petitioner University, for non-payment of the amount directed to be paid under the Arbitral award dated 17.06.2019.

3. An application filed under Section 34 of the Arbitration Act seeking to set aside the award is pending before this Court and it is stated that it is posted for hearing today.

4. Mr.D.Nellaiappan, learned counsel appearing for the respondent/decree holder would submit that he had assured the Court hearing Section 34 application that he would not execute the award, till such time, the application under Section 34 of the Arbitration Act is disposed of. The said statement has also been recorded by the Court.



C.R.P.(PD).No.2524 of 2021

5. In view of the very narrow scope of the Revision filed against the execution proceedings launched for execution of the award, I do not think the trial Court can be faulted for having passed an order of attachment in the absence of stay order in the Section 34 application. The trial Court had considered the objections and had come to the conclusion that the attempt is only to prolong the matter and avoid execution of the award.

6. I do not see any reason to interfere with the order of the executing Court. The Revision therefore fails and it is accordingly **dismissed**. No costs. Consequently, the connected miscellaneous petitions are closed.

06.12.2021

dsa

Index : No

Internet : Yes

Speaking order



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C.R.P.(PD).No.2524 of 2021

R.SUBRAMANIAN, J.

dsa

To

The II Additional District Judge, Puducherry.

C.R.P.(PD).No.2524 of 2021

06.12.2021

4/4