

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY THE SEPTEMBER TWO THOUSAND TWENTY ONE

PRESENT:

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE P.D.AUDIKESAVALU

OSA NO. 189 OF 2019

M/s.NAPC Limited
184/214, Royapettah High Road
MMPDA Tower, 2nd Floor, Royapettah,
Chennai 600 014.

..Appellant/Petitioner

.vs.

1. The Superintending engineer,
National High ways, TNSCC Complex,
Jai Nagar, 206/N, Jawaharlal Nehru Salai,
Opp. Mofussil Bus Stand, Chennai 600 106.

.. 1st Respondent /1st Respondent

2. K.Srinivasan
Sole Arbitrator,
C2, Block 1, Mayfair Apartments,
2A, LIC Colony Road,
Velachery, Chennai 600 042.

2nd Respondent/Sole Arbitrator

PRAYER : Appeals filed against the order dated 10.07.2019 in
OP. No. 881 of 2018 on the file of Original Side of this Court
by upholding the arbitration award published for implementation.

DECREE : These Original side Appeals coming on for hearing on
this day upon perusing the grounds of Appeals, and material
records available in this case and upon hearing the arguments of
Mr.Sathish Parasaran Senior Counsel for Mr. Arun C. Mohan and of
Mr. Edwin Prabakar Special Government Pleader for the first
respondent and this court while observing that, the challenge
to the award made by the contractor, to the extent the further
claim made therein was rejected, has been expressly abandoned at
this appellate stage, and that there is no merit in the
respondent's challenge to the arbitral award, whether on the
ground of lack of authority or limitation or on merits and this
court while allowing the Appeal doth order and decree is as
follows:

1. that the judgment and order dated 10.07.2019, made
in OP.881/2018, on the file of the Original side of this court
be and hereby is set aside; and

2. that the arbitral award dated 23.05.2018 passed by the Hon'ble Arbitral Tribunal do stand restored; and

3. that the appellant herein/petitioner be and hereby is entitled to costs of Rs. 50,000/- (Rupees fifty thousand only) and shall be ideal if such costs came out of the relevant officer of the respondent who engineered the challenge to the arbitral award in this court.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

To

1. The Sub Assistant Registrar,
Original Side,
High Court, Chennai-104.
2. The Arbitral Tribunal, Chennai.
3. Mr. K.Srinivasan
Sole Arbitrator
C2, Block 1, Mayfair Apts, 2A, LIC Colony Road,
Velachery, Chennai 600 042.

+lcc to Mr.Arun C.Mohan, Advocate SR.No.51400

DATED : 30/09/2021

DECREE :

OSA No.189 of 2019

Allowing the Original Appeal filed against the common order dated 10.07.2019 in OP. No. 881 of 2018 on the file of Original Side of this Court by upholding the arbitration award published for implementation, etc., as stated within.

RGN(CO)
GMV(21/10/2021)