



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.157 of 2017

and

C.M.P.No.1034 of 2017

The Commissioner,
Vellore City Municipal Corporation,
Vellore, Vellore District.

.. Appellant

Vs.

1. M/s.Pure Enviro Engg Pvt., Ltd.,
Shenoy Nagar,
Chennai.

2. ER.V.Mathivanan
Presiding Arbitrator

3. ER.S.S.Vasan
Co-Arbitrator

4. ER.K.Srinivasan
Co-Arbitrator

.. Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 37(1) & (2) of the Arbitration and Conciliation Act, 1996 seeking to set aside the fair and final order passed in Arb.O.P.No.3 of 2014 on the file of the Principal District Judge, Vellore, Vellore District vide order dated 01.09.2016.

For Appellant : No appearance
For Respondent 1 : Mr.A.Thiagarajan

J U D G M E N T

(The case has been heard through video conference)

On 20.09.2021, this Court recorded the submission made by Mr.M.Sathish Kumar, one of the counsel for the appellant that Mr.T.Rajasekar, learned panel counsel for the appellant has expired in the month of April, 2021 and that Mr.M.Sathish Kumar has also intimated the same to the appellant and requested them to make alternative arrangement by engaging a new counsel to argue the matter. Since, no response was received by Mr.M.Sathish Kumar, on his request, this Court directed the Registry to print the name of the appellant and post the matter for hearing on 27.09.2021.



2. On 27.09.2021, when the matter was listed, the name of the appellant was printed in the cause list. Once again, there was no representation on the side of the appellant and thereafter this Court directed the matter to be posted today. Even today, there is no representation on the side of the appellant. On all the hearings, the learned counsel for the first respondent was present, including today. It can be inferred that the appellant is not interested in prosecuting the appeal. Accordingly, this appeal is dismissed for non-prosecution. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District Judge,
Vellore, Vellore District
2. The Section Officer,
VR Section, High Court, Madras.

+lcc to Mr.A.Thiagarajan, Advocate, S.R.No.50042

C.M.A.No.157 of 2017
and C.M.P.No.1034 of 2017

NRL(CO)
GN(21/10/2021)