

IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY ONE

CORAM:

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MRS.JUSTICE S.KANNAMMAL

O.S.A.NO.319 OF 2019

M/s.Goodwill Wealth Management Pvt Ltd.,
Previously M/s.Goodwill Comtrades Pvt Ltd.,
A Company incorporated under the
Companies Act,
No.9, 2nd Floor, Masha Allah Building,
Bheema Sena Garden Street, Mylapore,
Chennai 600 004,
Rep. By its Head Legal M.Shiek Sadique

.. Appellant /Petitioner

Vs

Divya Theertha

.. Respondent /Respondent

Prayer in O.S.A.No.319 of 2019: Appeal filed under Rule 9 of O.S.Rules r/w Section 36 of the Arbitration and Conciliation Act to set aside the order dated 06.03.2019 made in O.P.No.313 of 2018 filed against the award dated 22.3.2018 passed in MCX/ARB/4918A/17 by the Sole Arbitrator on the file of Multi Commodity Exchange Limited, Chennai.

DECREE: This Original Side Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal and upon perusing the petition, order of the Arbitration Original Petition and the Arbitration Award and upon hearing the arguments of Mr.G.Surya Narayanan, advocate for the appellants and Respondent not appeared in person or by Advocate and while disposing this Original Side Appeal this court observed that setting aside of the award will not stand in the way of the respondents to workout their remedy afresh, if law so provides, and doth order and decree as follows:-

1. That the decree of the Original Side of this Court dated 6.3.2019 passed in the excise of the Ordinary Original Civil Jurisdiction of this Court in O.P. NO. 313 of 2019 be and hereby is set aside.

2) That the award dated 22.3.2018 passed in MCX/ARB/4918A/17 by the Sole Arbitrator be and hereby is set aside.

3) that there be no costs in this Original Side Appeal.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

To

1.The Sub Assistant Registrar,
Original Side,
High Court, Madras.

2.Mr.V.Paul Das,
Sole Arbitrator,
Multi Commodity Exchange India Limited,
Chennai.

+lcc to Mr. G. Suryanarayanan, Advocate SR.41040

DATED: 13.08.2021

DECREE:

OSA.NO.319/2019

Allowing this Original Side Appeal preferred against the order dated 06.03.2019 made in O.P.No.313 of 2018 filed against the award dated 22.3.2018 passed in MCX/ARB/4918A/17 by the Sole Arbitrator etc as stated within.

RSI(CO)
GN(30/09/2021)