



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 19TH DAY OF JANUARY 2021

THE HON'BLE MR. JUSTICE M.SUNDAR

O.P.No.980 of 2019
and
A.Nos. 9184 and 9749 of 2019

In the matter of Arbitration and
Conciliation Act, 1996
and
In the dispute relating to loan
agreement bearing No.
BLMSNRD0000060 and Arbitration
Award in Case no. SAP/ESFB/BL –
094/2019 dated 27.09.2019.

1. MVR Gas and MVR Chemicals and Oils
BV Sadanand Proprietor
No.801, 9th Main Road, 3rd Block
Koramangala, Bangalore - 560 034
Rep. by its Power Agent
Mr.G.Mahesh
2. Mr.B.V.Sadanand
S/o.M.Venkateshaswamy Reddy
No.801, 9th Main Road
3rd Block, Koramangala,
Bangalore - 560 034.
3. Mrs.S.L.Manjula
W/o.B.V.Sadanand
No.801, 9th Main Road
3rd Block, Koramangala
Bangalore - 560 034.

... Petitioners /Applicants
(in A.No.9184 of 2019)



Equitas Small Finance Bank Ltd.,
(Formerly known as Equitas Finance Ltd.,
and Equitas Finance Pvt. Ltd.,)
Spencer Plaza, 4th Floor
Phase II, No.769, Mount Road,
Anna Salai, Chennai-600 002
Tamil Nadu, India.

... Respondent /Respondent
(in A.No.9184 of 2019)

Original Petition praying that this Hon'ble Court be pleased to set aside the ex-parte award of the arbitrator passed in No.SAP/ESFB/BL-094/2019 dated 27.09.2019 against the petitioners.

A.No.9184 of 2019:

Application praying that this Hon'ble Court be pleased to stay further proceedings in pursuance to the exparte award of the arbitrator passed in ACP No. SAP/ESFB/BL-094/2019 dated 27.09.2019 against the petitioner.

A.No. 9749 of 2019:-

In the matter of Arbitration and
Conciliation Act, 1996
and
In the dispute relating to loan
agreement bearing No.
BLMSNRD0000060 and Arbitration
Award in Case no. SAP/ESFB/BL –
094/2019 dated 27.09.2019.

1. MVR Gas and MVR Chemicals and Oils
BV Sadanand Proprietor
No.801, 9th Main Road, 3rd Block
Koramangala, Bangalore - 560 034



Rep. by its Power Agent
Mr.G.Mahesh

WEB COPY

2. Mr.B.V.Sadanand
S/o.M.Venkateshaswamy Reddy
No.801, 9th Main Road
3rd Block, Koramangala,
Bangalore - 560 034.

3. Mrs.S.L.Manjula
W/o.B.V.Sadanand
No.801, 9th Main Road
3rd Block, Koramangala
Bangalore - 560 034.

... Applicant/Petitioner

VS.

1. Equitas Small Finance Bank Ltd.,
(Formerly known as Equitas Finance Ltd.,
and Equitas Finance Pvt. Ltd.,)
Spencer Plaza, 4th Floor
Phase II, No.769, Mount Road,
Anna Salai, Chennai-600 002
Tamil Nadu, India.

... Respondent/Respondent

2. Suchit Anant Palande
Arbitrator
Old No.159, New No.327, II Floor,
Lingi Chetty Street, Chennai 600 001. ... Proposed Respondent

Application praying that this Hon'ble Court be pleased to implead

the Arbitrator Mr.Suchit Anant Palande, proposed respondent as 2nd
respondent in OP No. 980 of 2019.

This Original Petition alongwith O.P.No. 981 OF 2019 AND

A Nos. 9184 and 9749 of 2019, coming on this day before this court for

hearing in the presence of Mr.Devasenathipathi, Advocate for the



Petitioners in OP.No.980 of 2019 and for the Applicants in A.Nos. 9184 and 9749 of 2019 and Mr.A.Damodaran, Advocate for the respondent in OP.No.980 of 2019 and A.No. 9184 of 2019 and for the 1st respondent in A.No.9749 of 2019, and upon reading the petition and the award dated 27.09.2019 filed in O.P.No.980 of 2019 and the judges summons and the affidavit of G.Mahesh, filed in A.Nos. 9184 and 9749 of 2019, and this court having observed that the lone ground that petitioners did not receive any communication from AT prior to interim and final awards i.e., impugned awards falls flat on its face, that ground fails without any speck of doubt as not one but three sets of communications have been duly received by each of the three petitioners at the addresses as shown in the captioned OPs prior to the receipt of impugned awards, therefore, this Court has no difficulty in unhesitatingly coming to the conclusion that there is no violation or infarct of the second limb of Section 34(2)(a)(iii), and before parting with this case, this Court deems it appropriate to observe that the protagonists of applications assailing arbitral awards should be careful and responsible while raising grounds such as non-receipt of proper notice of arbitral proceedings as the entire exercise of requisitioning records and perusing the same was clearly avoidable in the case on hand as each of three petitioners have received 3 sets of communications prior to the impugned awards, notwithstanding this position they have ventured to predicate their



challenge on the ground of no proper notice of arbitral proceedings by saying that they have not received any notice from AT prior to the receipt of the impugned award, owing to the nature of submission made by learned counsel for petitioners, this Court is not imposing costs in this case, but it need not be the same in days to come in cases of this nature, It is ordered as follows:

That the O.P.No.980 of 2019 be and is hereby dismissed.

2. That the connected application Nos. 9184 and 9749 of 2019, be and are hereby closed.

3. That this court refrains itself from imposing costs.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
19th DAY OF JANUARY 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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04.02.2021

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O.P.No.980 of 2019
and
A.Nos. 9184 and 9749 of 2019

ORDER :-

DATED: 19.01.2021

THE HON'BLE MR.JUSTICE
M.SUNDAR

FOR APPROVAL: 05.03.2021

APPROVED ON: 08.03.2021

Note:

Registry is directed to retain the records of AT along with envelope and covering letter from the Sole Arbitrator dated 27.01.2020 in a sealed envelope.



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.01.2021

Coram

THE HONOURABLE MR. JUSTICE M.SUNDAR

O.P.Nos.980 & 981 of 2019

and

A.Nos.9184 & 9749 of 2019

1. MVR Gas and MVR Chemicals and Oils

BV Sadanand Proprietor

No.801, 9th Main Road, 3rd Block

Koramangala, Bangalore - 560 034

Rep. by its Power Agent

Mr.G.Mahesh

2. Mr.B.V.Sadanand

S/o.M.Venkateshaswamy Reddy

No.801, 9th Main Road

3rd Block, Koramangala,

Bangalore - 560 034.

3. Mrs.S.L.Manjula

W/o.B.V.Sadanand

No.801, 9th Main Road

3rd Block, Koramangala

Bangalore - 560 034.

...

Petitioners in both OPs

vs.

Equitas Small Finance Bank Ltd.,

(Formerly known as Equitas Finance Ltd.,

and Equitas Finance Pvt. Ltd.,)

Spencer Plaza, 4th Floor

Phase II, No.769, Mount Road,

Anna Salai, Chennai-600 002

Tamil Nadu, India.

...

Respondent in both OPs



Arbitration and Conciliation Act, 1996, to set aside the ex-parte award of the arbitrator passed in No.SAP/ESFB/BL-094/2019 dated 27.09.2019 against the petitioners.

Original Petition No.981 of 2019 filed under Section 34 of the Arbitration and Conciliation Act, 1996, to set aside the ex-parte award of the arbitrator passed in No.SAP/ESP/BL-095/2019 dated 27.09.2019 against the petitioners.

For petitioners in both OP	:	Mr.Devasenathipathi
For respondent in both OP	:	Mr.A.Damodaran

COMMON ORDER

This common order will govern the captioned two 'Original Petitions' [hereinafter 'OPs' in plural and 'OP' in singular for the sake of brevity and convenience] and captioned applications therein.

2. In this web hearing on a video conferencing platform i.e., Virtual Court today, Mr.Devasenathipathi, learned counsel on record for three petitioners in both captioned OPs and Mr.A.Damodaran, learned counsel on record for the lone respondent in both captioned OPs are before me.

3. Aforementioned two learned counsel consented for captioned OPs being taken up for final disposal and being heard out though the captioned OPs are listed under the cause list caption 'FOR REPORTING



SETTLEMENT'. To be noted, this is owing to report from 'Tamil Nadu Mediation and Conciliation Centre' ('TNMCC' for the sake of brevity) being report dated 21.12.2020 wherein TNMCC reported that mediation has been completed, but no agreement has reached. In other words, mediation failed. Therefore, with the consent of learned counsel on both sides, captioned OPs were taken up for final disposal and being heard out.

4. Owing to the short statutory perimeter or in other words the limited legal landscape of Section 34 of 'The Arbitration and Conciliation Act, 1996 (Act No.26 of 1996)' {which shall hereinafter be referred to as 'A and C Act' for the sake of brevity and convenience}, within which a legal drill of testing an arbitral award should perambulate short facts shorn of elaboration will suffice.

5. Short facts are that petitioners in captioned OPs availed financial assistance by way of loan from respondent i.e., 'Equitas Small Finance Bank Ltd.,' [hereinafter 'said Bank' for the sake of convenience and brevity] vide two separate loan agreements, (i) Loan Agreement in BLMSNRD0000060 dated 31.01.2017 (loan amount of Rs.40,00,000/-) and (ii) Loan Agreement in BLMSNRD0001915 dated 21.02.2018 (loan amount of Rs.20,90,000/-); that loan availed by petitioners from said Bank



were agreed to be repaid in 36 'Equated Monthly Installments' ['EMI' in singular and 'EMIs' in plural for the sake of brevity]; that there is an arbitration clause in both loan agreements which serves as Arbitration Agreement between the parties being arbitration agreement within the meaning of Section 2(1)(b) read with Section 7 of A and C Act; that alleging default in repayment, arbitration agreement was triggered by said Bank; that 'Arbitral Tribunal' ('AT' for the sake of brevity) was constituted; that AT is constituted by a sole arbitrator; that AT entered upon reference, adjudicated upon the claim of said Bank and made two separate awards viz., '(i) Award dated 27.09.2019 bearing reference No.SAP/ESFB/BL-094/2019 and (ii) Award dated 27.09.2019 bearing reference No.SAP/ESFB/BL-095/2019' [hereinafter 'impugned award' in singular and 'impugned awards' in plural]; that impugned awards have been assailed in the captioned two OPs.

6. Both the captioned OPs are now being heard out in the light of the aforesaid trajectory. This Court having set out short facts or in other words factual matrix in a nutshell containing essential facts imperative for appreciating this common order (which also captures the trajectory captioned matters have taken) this Court now embarks upon the exercise of



is done, it is necessary to mention that records of AT pertaining to both impugned awards have been placed before me, the same having been requisitioned by predecessor Hon'ble Judge.

7. Adverting to captioned OPs, learned counsel for petitioners submitted that challenge to impugned awards is predicated on one lone point and that lone point is AT has not put petitioners on notice about the hearing and it is the pointed case of petitioners made with specificity that prior to interim and final awards (impugned awards) petitioners have not received any communication from the AT. To be noted, this is articulated in Paragraph Nos.6 of O.P.No.980 of 2019 and Paragraph No.5 of O.P.No.981 of 2019 and the same read as follows:

Paragraph No.6 of O.P.No.980 of 2019:

'The petitioners submit that on perusal of the award it is seen that sufficient opportunities were given to them to appear in the tribunal none of the notice alleged to be sent were received by the petitioners, nothing likewise were received by the petitioners herein, except the interim award and the final award which has been made as a part and parcel of this petition.'

Paragraph No.5 of O.P.No.981 of 2019:

'The petitioners submit that on perusal of the award it is seen that sufficient opportunities were given to them to appear in the tribunal none of the notice alleged to be sent were received by



the petitioners, nothing likewise were received by the petitioners herein, except the interim award and the final award which has been made as a part and parcel of this petition.'

8. Be that as it may, as the lone point urged before this Court turns on AT not sending notice of sittings to petitioners, this matter essentially turns on the second limb of Section 34(2)(a)(iii) of A and C Act, which reads as follows:

'34. Application for setting aside arbitral award.-

(1)

(2) An arbitral award may be set aside by the Court only if-

(a) the party making the application [establishes on the basis of the record of the arbitral tribunal that]-

(i)

(ii)

(iii) the party making the application was not given proper notice of the appointment of an arbitrator or of the arbitral proceedings or was otherwise unable to present his case; or

(iv)

(underlining made by this Court for ease of reference)

9. This Court, by saying second limb of Section 34(2)(a)(iii) of A



protagonists of captioned applications are predicating and positing their challenge to the impugned awards on the ground that they were not given proper notice of arbitral proceedings.

10. In this regard, it is necessary to notice that there was an amendment to Section 34(2)(a)(iii) of A and C Act vide an Amending Act being Act No.33 of 2019 wherein the expression 'furnishes proof that' was replaced by 'establishes on the basis of the record of the arbitral tribunal that'. To be noted, this Amending Act being Act No.33 of 2019 is dated 09.08.2019, but vide Section 1(2) of said Amending Act, provisions of Amending Act kick in on and from the date on which the provisions of Amending Act are notified by the Central Government in official gazette, different dates can be appointed for different provisions of the Amending Act. Out of 16 sections in this Amending Act, only 11 sections have been notified and such notification was done on 30.08.2019 by notification of Central Government vide S.O.3154(E).

11. The aforementioned amendment to Section 34(2)(a)(iii) of A and C Act where the expression 'furnishes proof that' was replaced by 'establishes on the basis of the record of the arbitral tribunal that' is vide Section 7 of the Amending Act and Section 7 of the Amending Act is one of



30.08.2019. Therefore, Section 34(2)(a) of A and C Act as amended by Amending Act No.33/2019 is being applied to the case on hand by following ***Ssangyong*** principle being law laid down by Hon'ble Supreme Court in ***Ssangyong Engineering and Construction Company Limited Vs. National Highways Authority of India reported in (2019) 15 SCC 131***. To be noted, this is in view of the fact that both captioned OPs have been presented in this Court post 30.08.2019, to be precise on 15.11.2019.

12. A careful perusal of records of AT reveals that AT has sent a communication dated 09.07.2019 fixing the date, time and venue of hearing/sitting as 26.07.2019 (4.00 p.m.) in the office of sole arbitrator. This communication has been mailed to all petitioners by registered post with acknowledgement due and each of the three petitioners have duly received the same on 16.07.2019, as is evident from postal acknowledgement cards in the records of AT.

13. A scanned reproduction of communication dated 09.07.2019 from AT are as follows:



WEB COPY

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SUCHIT ANANT PALANDE
Advocate/Sole Arbitrator
New No.27, Old No.159,
II Floor, Linghi Chetty Street,
Chennai - 600 001.

RPAD

DATE: 09.07.2019

Arbitration Case No.EAP/ESFE/BL-094/2019

In the matter of Arbitration of dispute between:

M/s. Equitas Small Finance Bank Ltd.,

vs.

M/s. M V R GAS AND M V R CHEMICALS AND OILS & Others

M/s. Equitas Small Finance Bank Ltd.,
Represented by its Authorized Signatory,
Phase II, 4th Floor,
Spencer Plaza,
No.769, Anna Salai,
Chennai - 600 002.

Calment

vs.

1. M/s. M V R GAS AND M V R CHEMICALS AND OILS,
Rep by its Proprietor,
Mr. B.V. SADA NAND,
NO.801 9TH MAIN 3RD BLOCK, KORAMANGALA,
BANGALORE - 560 034.

2. Mr. B.V. SADA NAND,
PROPRIETOR, M/s. M V R GAS AND M V R CHEMICALS AND OILS,
S/o. M. VENKTESHASWAMY REDDY,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 034.

3. Mrs. S. L. PANJULA,
W/o. B.V. SADA NAND,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 034.

Respondents



Sir/Madam,

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Sub: Arbitration in the matter of disputes between the Claimant and the Respondents in respect of Business Loan Agreement bearing No. BLMSNRD0000060 dated 31/01/2017

Whereas the Claimant has nominated me as the Sole Arbitrator as per the Letter dated 22/06/2019(wrongly typed as 16.05.2019 by inadvertence) to Arbitrate in respect of the dispute/claim between the Claimant and Respondents in respect of Business Loan Agreement No. BLMSNRD0000060 dated 31/01/2017 entered into by the Respondents with Claimant, The total outstanding amount as on 21/05/2019 is a sum of Rs.1454364.14,

And whereas I have accepted my nomination as the Sole Arbitrator and I state that there are no circumstances that give rise to any justifiable doubts as to my independence or impartiality in resolving the dispute referred.

Take notice that the above matter is posted for the appearance and for filing the Claim Statement of the Claimant on 26/07/2019 at 4.00 PM at Chennai in the following venue:

SUCHIT ANANT PALANDE

Advocate/Sole Arbitrator
New No.327, Old No.159,
II Floor, Linghi Chetty Street,
Chennai - 600 001.

All of you are hereby directed to appear in person or through your authorised representative. In default of your appearance, either in person or through an Advocate, before me at the above said date, time, and place, the matter shall be decided on merits in your absence without further notice and an Award will be passed accordingly on available materials and records.

SUCHIT ANANT PALANDE
(Sole Arbitrator in this matter)



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SUCHIT ANANT PALANDE

Adviser/Sole Arbitrator
New No.327, Old No.159,
II Floor, Linghi Chetty Street,
Chennai - 600 001.

RPAD

DATE: 09.07.2019

Arbitration Case No.SAP/ESFB/BL-095/2019

In the matter of Arbitration of dispute between

M/s.Equitas Small Finance Bank Ltd.,

Vs.

M/s.M V R GAS AND M V R CHEMICALS AND OILS & Others

M/s.Equitas Small Finance Bank Ltd.,
Represented by its Authorised Signatory,
Phase II, 4th Floor,
Spencer Plaza,
No.769, Anna Salai,
Chennai - 600 002.

Claimant

Vs.

1. M/s.M V R GAS AND M V R CHEMICALS AND OILS,
Rep by its Proprietor,
Mr.B.V.SADANAND,
No.801, 9TH MAIN 3RD BLOCK, KORAMANGALA,
BANGALORE-560 034.
2. Mr.B.V.SADANAND;
PROPRIETOR, M/s.M V R GAS AND M V R CHEMICALS AND OILS,
S/o.M.VENKATA SWAMY REDDY,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.
3. Mrs.S.L.MANJULA,
W/o.B.V.SADANAND,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

...Respondents



WEB COPY

Sir/Madam,

Sub: Arbitration in the matter of disputes between the Claimant and the Respondents in respect of Business Loan Agreement bearing No. BLMSNRD0001915 dated 21/02/2018

Whereas the Claimant has nominated me as the Sole Arbitrator as per the Letter dated 22.06.2019 to Arbitrate in respect of the dispute/claim between the Claimant and Respondents in respect of Business Loan Agreement No. BLMSNRD0001915 dated 21/02/2018 entered into by the Respondents with Claimant. The total outstanding amount as on 21/06/2019 is a sum of Rs.1575175.71.

And whereas I have accepted my nomination as the Sole Arbitrator and I state that there are no circumstances that give rise to any justifiable doubts as to my independence or impartiality in resolving the dispute referred.

Take notice that the above matter is posted for the appearance and for filing the Claim Statement of the Claimant on 26/07/2019 at 4.00 PM at Chennai in the following venue:

SUCHIT ANANT PALANDE
Advocate/Sole Arbitrator
New No.327, Old No.159,
II Floor, Linghi Chetty Street,
Chennai - 600 001.

All of you are hereby directed to appear in person or through your authorised representative. In default of your appearance, either in person or through an Advocate, before me at the above said date, time, and place, the matter shall be decided on merits in your absence without further notice and an Award will be passed accordingly on available materials and records.

SUCHIT ANANT PALANDE
(Sole Arbitrator in this matter)

14. A scanned reproduction of postal receipts (as in records of AT) evidencing mailing of aforementioned communication dated 09.07.2019 are as follows:



B2-094/2019



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Arbitration NOTICE

SAP / ESFB / BL - 095 / 2019



15. A scanned reproduction of postal acknowledgement cards evidencing receipt of communication dated 09.07.2019 by the three petitioners in captioned OPs are as follows:



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प्राप्ति-स्वीकृति (रसीद) ACKNOWLEDGEMENT

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
पो नाम मोहर
Name Stamp of
Office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE/ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Changanassery - 690 601
Mobile : 98403 27282

पिन / PIN

SAP/ESFB/BL-094/2019
New Group SAP & Co. Chennai

प्राप्ति-स्वीकृति (रसीद) ACKNOWLEDGEMENT

एक रजिस्ट्री पत्र/पोर
बीमा
received a Registered
Insured

पाने वाले का नाम
Addressed to (Name)

बीमा का मूल्य/रुपयों
Insured for Rupees

वैतरण की तारीख / Date

● जमावस्था पर मोहर दिया
● Sealed and the matter acknowledged
● वेबसाइट पर अपलोड किया गया
● For Insured articles only

Ref: SAP/ESFB/BL-094/2019
Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND M V
R CHEMICALS AND OILS,
S/o.M.VENKTESHASWAMY REDDY,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 084

पाने वाले का हस्ताक्षर / Signature of addressee



WEB COPY

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भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

आर.पी.54
R.P.-54

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Mobile : 98403 27282

दिनांक
Date Stamp

पिन / PIN

SAP/SCD/4 + FPA + 11 + RP 04 (Sealable Pads) 22,000 Pads / 2013-15 + 29.21 + 8
MS, Shree / P & Co., Chennai - 1

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGEMENT

एक रजिस्ट्री पत्र/भोर उक्तर
बीमा Registered
Received & Insured

पाने वाले का नाम
Addressed to (Name)

बीमा का मूल्य (रुपयों में)
Insured for Rupees

गोपनीय की शर्तों पर / Secured by conditions

अनावरण को कायम रखें।
Secure out the matter safe.

केवल बीमा वस्तुओं के लिए।
For Insured articles only.

Ref: SAP/ESFB/BL-094/2019
Mrs.S.L.MANJULA,
W/o.B.V.SADANAND,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 084

पाने वाले की हस्ताक्षर / Signature of addressee



WEB COPY

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भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

सालीन डाक
India Post
सालीन-मोडर
Date Stamp

प्रेषक डाकघर
की नाम मोडर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Mobile : 98403 27282

पिन / PIN

SRPSDCv4 / FR / 113 / RP-54 (Salable Pack) 22,000 Pairs / 2018-19 / 09-01-19
M/s Shree VVP & Co., Chennai - 1.

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGEMENT

एक रजिस्ट्री बीमा पत्र/पोस्टल पैकेट

Received as Registered Insured

पाने वाले का नाम
Addressee's (Name)

बीमा का मूल्य रु. 1000/-
Insured for Rs. 1000/-

वितरण की तारीख
Date of delivery

अमान्यक को भेंट किया जाए।
Return to the sender.

केवल बीमा नस्लों के लिए।
For Insured articles only.

Ref: SAP/ESFB/BL-095/2019
M/s. M V R GAS AND M V R CHEMICALS
AND OILS,
Rep by its Proprietor,
Mr. B.V. SADANAND,
No. 801, 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE-560 034.

पाने वाले के हस्ताक्षर / Signature of addressee



WEB COPY

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आर.पी.54
R.P.-54

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001
Mobile : 98403 27282

दिन / PIN

डाक प्रमाणिका-4 / FR / 111 / RP-54 (Standard Post) 22.000 Paise / 2015-19 / 19-01-18
Max.Street VPF & Co., Chennai - 1.

प्राप्ति- स्वीकृति (रसीद) ACKNOWLEDGEMENT

◆ एक रजिस्ट्री पत्र/पोस्टकार्ड/बीमा
Received a Registered & Insured

◆ पाने वाले का नाम
Addressed to (Name)

◆ बीमा का मूल्य (अनुषंगिक)
Insured for Rupees

वितरण की तारीख/दिनांक

◆ अनावश्यक को हटाने के लिए
Score out the unnecessary

◆ केवल बीमा वस्तुओं के लिए।
For Insured articles only.

Ref: SAP/ESFB/BL-095/2019
Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND
M V R CHEMICALS AND OILS,
S/o.M.VENKATA SWAMY REDDY,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

पाने वाले के हस्ताक्षर / Signature of addressee



WEB COPY

25

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Mobile : 98403 27282

विन / PIN

डाक टिकट
सालीख-मोहर
Date-Stamp

DP/ED/Ch-4 / PP / 113 / RP-04 (Semi-Sub Pads) 22,000 Pads / 2019-19 / 09-01-19
M/s. Shree VVP & Co., Chennai - 1.

प्राप्ति-स्वीकृति (रसीद) ACKNOWLEDGEMENT

एक रजिस्ट्री पत्र/पोस्ट कार्ड/पैकेट/गारंटीड पैकेट
Received a Registered Insured

पाने वाले का नाम
Addressed to (Name)

बीमा का मूल्य (रुपयों में)
Insured for Rupees

पिछरण की तारीख
Date

अनावश्यक को फेंक दिया जाए।
Scorned off if not required.

केवल बीमा कार्डों के लिए।
For Insured articles only.

Ref: SAP/ESFB/BL-095/2019

Mrs.S.L.MANJULA,
W/o.B.V.SADANAND,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

पाने वाले के हस्ताक्षर / Signature of addressee



WEB COPY

आर.पी.54
R.P.-54

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.139, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001
Mobile : 98403 27282

विन / PIN

SPRSDCH-4 / FPI / 113 / RP-54 (Salable Pack) 25,000 Pack / 2016-19 / 35-01-19
M/s. Shree VVP & Co., Chennai - 1.

16. A further perusal of records from AT reveals that sole arbitrator has also sent requisite disclosure under cover of aforementioned letter dated 09.07.2019. This Court is informed that petitioners did appear on 26.07.2019, but it may not be necessary to delve into that aspect of the matter as, after 09.07.2019 communication which has been duly served on all three petitioners, claim statement has also been mailed by registered post with acknowledgement due to all three petitioners and the same have also been duly received by all three petitioners.

<https://hcservices.ecourts.gov.in/hcservices/> 17. Claim statement has been mailed on 01.08.2019, which is

evidenced by postal receipts and postal acknowledgement cards forming



part of records of AT. A scanned reproduction of the same are as follows:

WEB COPY



WEB COPY

SUCHIT ANANT PALANDE

Advocate/Sole Arbitrator
New No.327, Old No.159,
II Floor, Linghi Chetty Street,
Chennai - 600 001.

RPAD

DATE: 26/07/2019

Arbitration Case No. SAP/ESFB/BL-094/2019

in the matter of Arbitration of dispute between

M/s.Equitas Small Finance Bank Ltd.,
Vs.

M/s. M V R GAS AND M V R CHEMICALS AND OILS & Others

M/s.Equitas Small Finance Bank Ltd.,
Represented by its Authorised Signatory,
Phase II, 4th Floor,
Spencer Plaza,
No.769, Anna Salai,
Chennai - 600 002.

Claimant

Vs.

1. M/s.M V R GAS AND M V R CHEMICALS AND OILS,
Rep by its Proprietor,
Mr.B.V.SADANAND,
NO.801 9TH MAIN 3RD BLOCK, KORAMANGALA,
BANGALORE - 560 034.
2. Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND M V R CHEMICALS AND OILS,
S/o.M.VENKTESHASWAMY REDDY,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 034.
3. Mrs.S.L.MANJULA,
W/o.B.V.SADANAND,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 034.

Respondents



WEB COPY

Sir/Madam,

Sub: Arbitration Case No.SAP/ESFB/BL-094/2019.

Arbitration in the matter of disputes between the Claimant and the Respondents in respect of Loan Agreement bearing No. BL.MSNRD0000060 dated 31/01/2017.

Whereas the above Arbitration Case came up for hearing before me on 26/07/2019 and the Claimant has filed their Claim Statement in respect of the dispute/claim between the Claimant and Respondents in respect of Loan Agreement No. BL.MSNRD0000060 dated 31/01/2017 entered into by the Respondents with Claimant. The copy of the Claim Statement is enclosed herewith for your reference and to file your Objections/Counter to the Claim Statement.

Take notice that the above matter is posted for your appearance and for filing the Objections/Counter to the Claim Statement filed by the Claimant on 23.08.2019 at 4.00 PM at Chennai in the following venue:

SUCHIT ANANT PALANDE

Advocate/Sole Arbitrator

New No.327, Old No.159,

II Floor, Linghi Chetty Street,

Chennai – 600 001.

All of you are hereby directed to appear in person or through your authorised representative. In default of your appearance, either in person or through an Advocate, before me at the above said date, time, and place, the matter shall be decided on merits in your absence without further notice and an Award will be passed accordingly on available materials and records.

Kindly note that no further notice will be sent to you in the above Arbitration Case for the future proceedings and hearing dates.

SUCHIT ANANT PALANDE
(Sole Arbitrator in this matter)



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30

claim Statement

B2-094/2013

RT26755104624 JWB0204067551046
R. CHENNAI S.P.O. (400001)
Counter No.10, 01/01/2019, 14:47
Tos:SL NADIA,
PIN:560034, Koramangala S.O
From:SECRET ARIN, NEW 327 OLD 159
Wts:30gms
Act:30.00(Rash)
(Track on www.indiapost.gov.in/)
Chal: 1800 266 6855

RT26755104624 JWB0204067551046
R. CHENNAI S.P.O. (400001)
Counter No.10, 01/01/2019, 14:47
Tos:SL NADIA,
PIN:560034, Koramangala S.O
From:SECRET ARIN, NEW 327 OLD 159
Wts:30gms
Act:30.00(Rash)
(Track on www.indiapost.gov.in/)
Chal: 1800 266 6855

RT26755104624 JWB0204067551046
R. CHENNAI S.P.O. (400001)
Counter No.10, 01/01/2019, 14:47
Tos:SL NADIA,
PIN:560034, Koramangala S.O
From:SECRET ARIN, NEW 327 OLD 159
Wts:30gms
Act:30.00(Rash)
(Track on www.indiapost.gov.in/)
Chal: 1800 266 6855



WEB COPY

31

Claim

प्राप्ति-स्वीकृति (रसीद) ACKNOWLEDGEMENT

✦ एक <u>रजिस्ट्री</u> मुद्रापोस्टकार	Ref: SAP/ESFB/BL-094/2018
✦ बीमा <u>Registered</u>	M/s. M V R GAS AND M V R
✦ Registered & <u>Insured</u>	CHEMICALS AND OILS,
✦ पाने वाले को नामें	Rep by its Proprietor,
Addressed to (Name)	Mr. B.V.SADANAND,
✦ बीमा का मूल्य (रुपयों में)	NO.801 9 TH MAIN 3 RD BLOCK,
✦ Insured for Rupees	KORAMANGALA,
वितरण की तारीख / Date of	BANGALORE - 560 034
अवश्यक को काट दिया जाए।	
✦ Secure put the matter not required	
✦ केवल बीमा वस्तुओं के लिए।	
✦ For Insured articles only.	

पाने वाले के हस्ताक्षर / Signature of addressee:

आर.पी.54
R.P.54

**भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA**

प्रेमक डाकघर
की नाम मोहर
Name Stamp of
Office of Posting

प्रेमने वाले
का पता
Sender's
Address

प्रतिपद
तारीख-मोहर
Date Stamp

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.169, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Mobile : 98403 27282

पिन/PIN

8949203 4 : RP : 113 : RP 54 : India Post : 22001 India : 2018-11/09-21-17
M/s Somo SP & Co. Chennai : 1



WEB COPY

32

claim

प्राप्ति स्वीकृति (

◆ एक रजिस्ट्री पत्र/पोस्टकार्ड
◆ Received a Registered Insured L

◆ पाने वाले का नाम }
Addressed to (Name) } -

◆ बीमा का मूल्य (Amount)
◆ Insured (Amount) -

वितरण की तारीख / Date of delivery

◆ अनावश्यक को वापस मिले जहाँ।
◆ Return to sender if not required.

◆ केवल बीमा वस्तुओं के लिए।
◆ For Insured articles only.

Ref: SAP/ESFB/BI-094/2018
Mr.B.V.SADANAN
PROPRIETOR, M/s.M V R GAS AND M V
R CHEMICALS AND OILS,
S/o.M.VENKTESHASWAMY REDDY,
NO.801 9TH MAIN 3RD BLOCK
KORAMANGALA
BANGALORE - 560 034.

पाने वाले के हस्ताक्षर / Signature of addressee

आर.पी.54
R.P.-54

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
की नाम स्टंप
Name Stamp of
Office of Posting

प्रेषने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor
Ugchi Chetty Street, Chennai - 600 001
Mobile : 98403 27282

पिन / PIN

DRPSC/24-1/PP-1/11/AR/24/Service Post, 22/03/2018-19/09/21-12
No. 22/03/2018-19/09/21-12



WEB COPY

33

Claim

प्राप्ति-स्वीकृति (

✦ एक रजिस्ट्री पत्र/पोस्टकार्ड Ref: SAP/ESFB/BL-094/2018

✦ बीमा Registered Insured L. Mrs.S.L.MANJULA,

✦ Received a W/o.B.V.SADANAND,

✦ पाने वाले का नाम } NO.801 9TH MAIN 3RD BLOCK,

Addressed to (Name) } KORAMANGALA,

✦ बीमा का मूल्य (रुपयों में) } BANGALORE - 560 034,

✦ Insured विनिर्माण विभाग के लिए

विनिर्माण के प्रमाण / Photo of

✦ जमाकर्तव्य के लिए कट दिया जाएगा

✦ Excess out the matter not required

✦ केवल बीमा वस्तुओं के लिए

✦ For Insured articles only.

MVR GAS
560 034

पाने वाले के हस्ताक्षर / Signature of addressee

खारजी 54
R.P-54

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Phone - 98400 27592

दिन / PIN

SPRSDC-4 / FPI / 113 / RP-54 (Satellite Post) 22,000 Posts / 2016-18 / 09-01-18
M/s. Shree VVP & Co., Chennai - 1



WEB COPY

SUCHIT ANANT PALANDE

Advocate/Sole Arbitrator
New No.327, Old No.159,
II Floor, Linghi Chetty Street,
Chennai – 600 001.

RPAD

DATE: 26/07/2019

Arbitration Case No.SAP/ESFB/BL-095/2019

in the matter of Arbitration of dispute between

M/s.Equitas Small Finance Bank Ltd.,

Vs.

M/s. M V R GAS AND M V R CHEMICALS AND OILS & Others

M/s.Equitas Small Finance Bank Ltd.,
Represented by its Authorised Signatory,
Phase II, 4th Floor,
Spencer Plaza,
No.769, Anna Salai,
Chennai - 600 002.

Claimant

Vs.

1. M/s.M V R GAS AND M V R CHEMICALS AND OILS,
Rep by its Proprietor,
Mr.B.V.SADANAND,
No.801, 9TH MAIN 3RD BLOCK, KORAMANGALA,
BANGALORE-560 034.

2. Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND M V R CHEMICALS AND OILS,
S/o.M.VENKATA SWAMY REDDY,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

3. Mrs.S.L.MANJULA,
W/o.B.V.SADANAND,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

Respondents



WEB COPY

35

Sir/Madam,

Sub: Arbitration Case No.SAP/ESFB/BL-095/2019.

Arbitration in the matter of disputes between the Claimant and the Respondents
in respect of Loan Agreement bearing No. BLMSNRD0001915 dated 21/02/2018.

Whereas the above Arbitration Case came up for hearing before me on 26/07/2019 and the Claimant has filed their Claim Statement in respect of the dispute/claim between the Claimant and Respondents in respect of Loan Agreement No. BLMSNRD0001915 dated 21/02/2018 entered into by the Respondents with Claimant. The copy of the Claim Statement is enclosed herewith for your reference and to file your Objections/Counter to the Claim Statement.

Take notice that the above matter is posted for your appearance and for filing the Objections/Counter to the Claim Statement filed by the Claimant on 23.08.2019 at 4.00 PM at Chennai in the following venue:

SUCHIT ANANT PALANDE

Advocate/Sole Arbitrator

New No.327, Old No.159,

II Floor, Linghi Chetty Street,

Chennai – 600 001.

All of you are hereby directed to appear in person or through your authorised representative. In default of your appearance, either in person or through an Advocate, before me at the above said date, time, and place, the matter shall be decided on merits in your absence without further notice and an Award will be passed accordingly on available materials and records.

Kindly note that no further notice will be sent to you in the above Arbitration Case for the future proceedings and hearing dates.

SUCHIT ANANT PALANDE

(Sole Arbitrator in this matter)



WEB COPY

36

Claim Statement
SAP/ESFB/BL-095/2019

RT2670167921N DLR:8294267921079
RL CHENNAI S.P.O. (000001)
Counter No:16,01/08/2019,14:47
To:16/08/2019,
PIN:560034, Koramangala S.O.
From:BLCHIT 0000,NEW 327 O.L. 159
wt:30gms
Rate:30.00(Cash)
(Track on www.indiapost.gov.in)
Dial 1800 266 6868

RT2670167921N DLR:8294267921082
RL CHENNAI S.P.O. (000001)
Counter No:16,01/08/2019,14:47
To:16/08/2019,
PIN:560034, Koramangala S.O.
From:BLCHIT 0000,NEW 327 O.L. 159
wt:30gms
Rate:30.00(Cash)
(Track on www.indiapost.gov.in)
Dial 1800 266 6868

RT2670167921N DLR:8294267921096
RL CHENNAI S.P.O. (000001)
Counter No:16,01/08/2019,14:47
To:16/08/2019,
PIN:560034, Koramangala S.O.
From:BLCHIT 0000,NEW 327 O.L. 159
wt:30gms
Rate:30.00(Cash)
(Track on www.indiapost.gov.in)
Dial 1800 266 6868



WEB COPY

37

Claim

प्राप्ति स्वीकृति

✦ एक रजिस्ट्री पत्र/पोस्टकार्ड
 ✦ बीमा
 ✦ Received as Registered Insured
 ✦ पाने वाले का नाम
 Addressed to (Name)
 ✦ बीमा का मूल्य (रुपयों में)
 ✦ Insured for Rupees
 वितरण की सुरक्षा/Insurance
 ✦ खानाबदल को कवर देने वाली
 ✦ Food and lodging cover provided
 ✦ केवल बीमा वस्तुओं के लिए
 ✦ For Insured articles only

Ref: SAP/ESFB/BL-095/2019
 M/s.M V R GAS AND M V R CHEMICALS
 AND OILS,
 Rep by its Proprietor,
 Mr.B.V.SADANAND,
 No.801, 9TH MAIN 3RD BLOCK,
 KORAMANGALA,
 BANGALORE-560 034

पाने वाले के हस्ताक्षर / Signature of addressee

आर.पी.54
R.P.-54

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDI
 ADVOCATE / ARBITRATOR
 OM NO.159, New No.327, II Floor,
 Linghi Chetty Street, Chennai - 600 001.
 Mobile : 98403 27252

डाक टिकट
 जारी करने वाला
 डाकघर
 डाक टिकट
 जारी करने वाला
 डाकघर

दिन / PIN

डाक टिकट / PIN : 13 / RP-54 (Saleable Post) 22.001 Pds / 2018-19 / 19-10-18
 M/s Green V/P & Co., Chennai - 1.



WEB COPY

38

Claim

प्राप्ति-स्वीकृति (रसीद) ACKNOWLEDGEMENT

✦ एक ^{रजिस्ट्री} पत्र/पोस्टल बीमा ^{Registered} Insured

✦ Received n. Insured

✦ पाने वाले का नाम }
Addressed to (Name)

✦ बीमा का मूल्य (रुपयों में)
Insured for Rupees

विचरण की तारीख / Date of
Examination

✦ जमावरश्मि को कारद दिया जाय।
Receipt for the matter not required

✦ केवल बीमा वस्तुओं के लिए।
For Insured articles only.

Ref: SAP/ESFB/BL-095/2019

Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GADANAND
M V R CHEMICALS AND OILS,
S/o.M.VENKATA SWAMY REDDY,
No.801, 9th MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

पाने वाले के हस्ताक्षर/Signature of addressee

भारपी.54
R.P.-54

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Mobile : 98403 27282

भारतीय डाक
भारत पोस्ट
तारीख-मोहर
Date-Stamp

पिन / PIN

SPR500CF-4 / RP1 / 13 / RP 54 / Sakshid Postar / 22/RC Post / 2018/18/08/01-19
M/s.Steel VVP & Co., Chennai - 1



WEB COPY

Claim

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

आरपी.54
R.P.-54

प्रेषक डाकपर
की नाम मोहर
Name Stamp of
office of Posting

प्रेषने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Mobile : 98403 27282

पिन / PIN

SHRISOIN-4 / FPI / 113 / RP-54 (Solable Party) 22,000 Pats / 2018-T8 / 05-01-18
M/s Shree VVP & Co., Chennai - 1.

18. This Court on further perusal of records of AT finds that even thereafter, another communication from AT enclosing proceedings dated 30.08.2019 has been sent. A scanned reproduction of proceedings dated 30.08.2019 are as follows:



WEB COPY

SUCHIT ANANT PALANDE

Advocate/Sole Arbitrator
New No.327, Old No.159,
II Floor, Linghi Chetty Street,
Chennai - 600 001.

PROCEEDINGS OF THE ARBITRATOR DATED 30.08.2019 @ 4.00pm held at New
No.327, Old No.159, II Floor, Linghi Chetty Street, Chennai - 600 001.

Arbitration Case No.SAP/ENFB/BL-094/2019

In the matter of Arbitration and Conciliation Act, 1996

And

In the matter of Disputes and Differences between

M/s.Equitas Small Finance Bank Ltd,
Represented by its Authorised Signatory,
Phase II, 4th Floor, Spentec Plaza,
No.769, Anna Salai,
Chennai - 600 002

Claimant

Vs.

1. M/s.M V R GAS AND M V R CHEMICALS AND OILS,
Rep by its Proprietor,
Mr.B.V.SADANAND,
NO.801 9TH MAIN 3RD BLOCK, KORAMANGALA,
BANGALORE - 560 034.

Respondent No.1/Hirer

2. Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND M V R CHEMICALS AND OILS,
SRI M.VENKTESHASWAMY REDDY,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 034.

Respondent No.2/Co-Hirer-1

3. Mrs.S.L.MANJULA,
W/o.D.V.SADANAND,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 034.

Respondent No.3/Co-Hirer-2



WEB COPY

Mr.L.Lingadurai, Assistant Manager Legal, appeared for the Claimant and there was no representation for the Respondents. The Claimant had already filed their Claim Statement on 26.07.2019 and the case was posted today for the filing of the Objections/Counter by the Respondents. Since the Respondents neither appeared in person nor was there any representation on behalf of the Respondents, the Respondents have been set exparte today.

This Tribunal is constrained to proceed further and the matter stands posted to 13.09.2019 at 4.00 PM in the same venue for recording evidence of the Claimant and thereafter an Award will be passed on the merits of the available documents without any further notice to the Respondents. Claimant takes notice of the same and for the Respondents, a copy of this proceeding would be sent to them by registered post with acknowledge due.

SUCHIT ANANT PALANDE
(Sole Arbitrator in this matter)



WEB COPY

SUCHIT ANANT PALANDE

Advocate/Sole Arbitrator
New No.327, Old No.159,
II Floor, Linghi Chetty Street,
Chennai – 600 001.

PROCEEDINGS OF THE ARBITRATOR DATED 30.08.2019 at 4.00pm held at New
No.327, Old No.159, II Floor, Linghi Chetty Street, Chennai – 600 001.

Arbitration Case No.SAP/ESFB/BL-095/2019

In the matter of Arbitration and conciliation Act, 1996

And

In the matter of Disputes and Differences between

M/s.Equitas Small Finance Bank Ltd,
Represented by its Authorised Signatory,
Phase II, 4th Floor, Spencer Plaza,
No.769, Anna Salai,
Chennai – 600 002.

Claimant

Vs.

1. M/s.M V R GAS AND M V R CHEMICALS AND OILS,
Rep.by its Proprietor,
Mr.B.V.SADANAND,
No.801, 9TH MAIN 3RD BLOCK, KORAMANGALA,
BANGALORE-560 034.

Respondent No.1/Hirer

2. Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND M V R CHEMICALS AND OILS,
S/o.M VENKATA SWAMY REDDY,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

Respondent No.2/Co-Hirer- 1

3. Mrs.S.J. MANJULA,
W/o.H.V.SADANAND,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, KORAMANGALA,
BANGALORE-560 034.

Respondent No.3/Co-Hirer-2



WEB COPY

Mr.L.Lingadurai, Assistant Manager Legal, appeared for the Claimant and there was no representation for the Respondents. The Claimant had already filed their Claim Statement on 26.07.2019 and the case was posted today for the filing of the Objections/Counter by the Respondents. Since the Respondents neither appeared in person nor was there any representation on behalf of the Respondents, the Respondents have been set exparte today.

This Tribunal is constrained to proceed further and the matter stands posted to 13.09.2019 at 4.00 PM in the same venue for recording evidence of the Claimant and thereafter an Award will be passed on the merits of the available documents without any further notice to the Respondents. Claimant takes notice of the same and for the Respondents, a copy of this proceeding would be sent to them by registered post with acknowledge due.

SUCHIT ANANT PALANDE
(Sole Arbitrator in this matter)

19. Aforesaid communication dated 30.08.2019 has also been duly received by all three petitioners and a scanned reproduction of postal receipts and postal acknowledgement cards (as in the records of AT) are as follows:



BL-094/2019

<https://hcservices.ecourts.gov.in/hcservices/>



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Set Exparte

SAP/ESFB/BL-095/2019

RT054800038 IN:020403480038 RL HIGH COURT BUILDING S.O. CHENNAI Counter No:4,04/09/2019,10:25 To: S. L. NAGARAJ, PIN:060004, Koramangala S.O. From: SUDHIT AGARWAL, 327 OLD NO. 159 L Wt:28gms Rate:25.00(Cash) (Track on www.indiapost.gov.in) (Dial: 1800 266 6660)	
RT054800039 IN:020403480039 RL HIGH COURT BUILDING S.O. CHENNAI Counter No:4,04/09/2019,10:25 To: S. L. NAGARAJ, PIN:060004, Koramangala S.O. From: SUDHIT AGARWAL, 327 OLD NO. 159 L Wt:28gms Rate:25.00(Cash) (Track on www.indiapost.gov.in) (Dial: 1800 266 6660)	
RT054800040 IN:020403480040 RL HIGH COURT BUILDING S.O. CHENNAI Counter No:4,04/09/2019,10:25 To: S. L. NAGARAJ, PIN:060004, Koramangala S.O. From: SUDHIT AGARWAL, 327 OLD NO. 159 L Wt:28gms Rate:25.00(Cash) (Track on www.indiapost.gov.in) (Dial: 1800 266 6660)	



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S.E

प्राप्ति-स्वीकृति (रसीद) ACKNOWLEDGEMENT

आर.पी.54
R.P.-54

**भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA**

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

**SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR**
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001.
Mobile : 98403 27282

Date Stamp

पिन / PIN

SPRSGOV-4 / FR / 113 / RP-54 (Saleable Price) 22,000 Pads / 2015-16 / 08-25-16
M/s.Shree VVP & Co., Chennai - 1

S.E

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGEMENT

◆ एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ है
◆ Received a Registered Insured

पाने वाले का नाम
Addressed to (Name)

का मूल्य (रुपयों में)
Value of

Ref: SAP/ESFB/BL-094/2019
Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND
R CHEMICALS AND OILS,
S/o.M.VENKTESHASWAMY REDDY,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA
BANGALORE 560 094

पाने वाले की हस्ताक्षर / Signature of addressee

◆ अनावश्यक को फाड़ने से बचें।
◆ Send out the matter not required
◆ केवल रजिस्ट्री पत्रों के लिए।
◆ For Insured articles only.



WEB COPY

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बारपी.54
B.P.-54

भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

प्रेषक डाकस्थल
की नाम स्टाम्प
Name Stamp of
office of Posting

सेजाने वाले
का पता
Sender's
Address

SUCHIT ANANT PALANDE
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 081.
Mobile : 98403 27182

दिन / PIN

SPRSE/24-4/PP-1/111/PP/04 (Subsidiary) 22 2/0 Page 1/2015 13/03/21-15
M/s. Sree VTP & Co., Chennai - 1

स्वीकृति (रसीद) ACKNOWLEDGEMENT

Ref: SAP/ESFB/BL-094/2019

Mrs.S.L.MANJULA,
W/o.B.V.SADANAND,
NO.801 9TH MAIN 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560 034

पाने वाले के हस्ताक्षर / Signature of addressee

● जनावरण को यह दिवा जाए।
● Show that the matter not required
● केवल नौनों वस्तुओं के लिए।
● For Insured articles only



कार्टी 54 K.P.-54	भारतीय डाक विभाग DEPARTMENT OF POSTS, INDIA	भारतीय डाक India Post तारीख-मोहर Date-Stamp
ट्रेषक डाकघर की नाम मोहर Name Stamp of office of Posting		
भेजने वाले का पता Sender's Address	SUCHIT ANANT PALANDE ADVOCATE / ARBITRATOR Old No.159, New No.327, II Floor, Linghi Chetty Street, Chennai - 600 001 Mobile : 98403 27282	
	पिन / PIN	

[illegible]



WEB COPY

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भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

आर.पी. 54
R.P.-54

प्रेषक डाकघर
की नाम मोहर
Name Stamp of
office of Posting

भेजने वाले
का पता
Sender's
Address

सुचित अनंत पलान्दे
ADVOCATE / ARBITRATOR
Old No.159, New No.327, II Floor,
Linghi Chetty Street, Chennai - 600 001
Mobile : 98403 27282

दिन / PIN

भारतीय डाक
India Post
तारीख-मोहर
Date-Stamp

BRPDDCh-4 / PH / 113 / RP-64 (Saleable Post) 22,300 Pads / 2018-19 / 09-01-18
M/s. Shree VTP & Co., Chennai - 1

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGEMENT

पत्र/पोस्टकार्ड/पैकेट/पारसल प्राप्त हुआ
Registered
Insured

Ref: SAP/ESFB/BL-095/2019

Mr.B.V.SADANAND,
PROPRIETOR, M/s.M V R GAS AND
M V R CHEMICALS AND OILS,
S/o.M.VENKATA SWAMY REDDY,
No.801, 9TH MAIN 3RD BLOCK,
NEAR SEVA SADAN, ROYAPET, ANGALA,
BANGALORE-560 034.

पाने वाले के हस्ताक्षर / Signature of addressee

अनामस्थक को काट दिया जाए
● Scare out the matter not
● केवल बीमा वस्तुओं के लिए।
● For Insured articles only.



आर.पी.54 R.P.-54	भारतीय डाक विभाग DEPARTMENT OF POSTS, INDIA	 India Post सहकारी पोस्ट Date-Stamp
प्रेषक काफ़िर की नाम मोहर Name-Stamp of office of Posting भेजने वाले का पता Sender's Address	SUCHIT ANANT PALANDE ADVOCATE / ARBITRATOR Old No.159, New No.327, II Floor, Linghi Chetty Street, Chennai - 600 091. Mobile : 98403 27282	 Date-Stamp
पिन / PIN		

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGEMENT

विस्ट्री ☐ पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ
 बीमा ☐ Registered ☐
 Insured ☐

ने का नाम }
 sent to (Name) }

मूल्य (रुपयों में)
 for Rupees

तारीख / Date of d.

Ref: SAP/ESFB/BL 095/2019
 Mrs.S.L.MANJULA,
 W/o.B.V.SADANAND,
 No.801, 9th MAIN 3rd BLOCK,
 NEAR SEVA SADAN, KORAMANGALA,
 BANGALORE-560 034

Signature of addressee



of the second limb of Section 34(2)(a)(iii) that has been alluded to supra.

This is evident from the records of AT as alluded to and thereafter delineated supra.

21. Registry is directed to retain the records of AT along with the envelope and covering letter from the sole Arbitrator dated 27.01.2020 in a sealed envelope and this is obviously for the purpose of reference in an intra court appeal, if that be so. There shall be a post script to this order also in this regard.

22. Before parting with this case, this Court deems it appropriate to observe that the protagonists of applications assailing arbitral awards should be careful and responsible while raising grounds such as non-receipt of proper notice of arbitral proceedings as the entire exercise of requisitioning records and perusing the same was clearly avoidable in the case on hand as each of three petitioners have received 3 sets of communications prior to the impugned awards. Notwithstanding this position they have ventured to predicate their challenge on the ground of no proper notice of arbitral proceedings by saying that they have not received any notice from AT prior to the receipt of the impugned award. Owing to



is not imposing costs in this case, but it need not be the same in days to come in cases of this nature.

M.SUNDAR. J

mk

23. In the light of the discussion thus far, both the captioned OPs failed and the same are dismissed. Consequently, connected applications are closed. This Court refrains itself from imposing costs.

Sd./-(M.S.J.,)

19.01.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.