

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2021

CORAM:

THE HONOURABLE Mr.JUSTICE **M.SUNDAR**

O.P.Nos.982 to 984 of 2019

and

A.Nos.9188 & 9750 of 2019

1. Mr.B V Sadanand
Proprietor of MVR Gas
Rep by his Power Agent
Mr.G.Mahesh

2. Manjula SL

... Petitioners in OP.982/2019

1. MVR Gas
B V Sadanand

2. B.V.Sadanand

... Petitioners in OP.983/2019

1. Mr.B V Sadanand
Proprietor of MVR Gas
Rep by his Power Agent
Mr.G.Mahesh

2. Manjula SL

... Petitioners in OP.984/2019

Vs.

M/s.Kotak Mahindra Bank Ltd.,
5th Floor, Samson Towers,
402 L, Pantheon Road,
Egmore, Chennai-600 008.

... Respondent in OP.982/2019

M/s.India Info line Finance Ltd.,
IIFL House, Plot No.B-23,
Sun Infotech Park, Road 16v,
Thane, Maharashtra-400 604
Rep. by its Authorised Signatory.

... Respondent in OP.983/2019

M/s.Kotak Mahindra Bank Ltd.,
5th Floor, Samson Towers,
402 L, Pantheon Road,
Egmore, Chennai-600 008.

... Respondent in OP.984/2019

Prayer: Petitions filed under Section 34 of The Arbitration and Conciliation Act, 1996, praying to set aside the ex-parte award of the Arbitrator passed in (i) No.KBB CR 16/2019 dated 3.10.2019; (ii) No.IFL (SME) L296/2019 dated 06.09.2019 and (iii) No.KB B CM 95/2019 dated 27.08.2019 against the petitioners respectively.

For Petitioners : No Appearance

For Respondents : Ms.Soundaravalli
of M/s.Nathan and Associates

ORDER

Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 03.02.2021, which reads as follows:

'Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 02.02.2021 (Yesterday).

2. This Court is informed by Registry (after verification) that there is no Vakalatnama on record for contesting respondent.

3. Faced with the above situation Ms.Soundaravalli of M/s.Nathan and Associates (Law Firm) undertakes to file Vakalatnama for contesting respondent in all three captioned OPs before close of working hours today. Permitted to do so.

4. Be that as it may, there is no representation for petitioner in all the three captioned OPs today also. Therefore, Registry to list this matter under the cause list caption 'FOR DISMISSAL' tomorrow i.e., 04.02.2021.'

2. Pursuant to aforesaid earlier proceedings, captioned 'Original Petitions' ['OPs' in plural and 'OP' in singular for the sake convenience] have been listed under the cause list caption 'FOR DISMISSAL' today.

3. Today also Ms.Soundaravalli of M/s.Nathan and Associates [Law Firm] is before me in this web hearing on a video conferencing platform, learned counsel submits that vakalatnama has been filed on behalf of the contesting respondents in all three captioned OPs, but learned counsel is unable to give the Diary Number readily.

4. Be that as it may, there is no representation for the petitioner in all three captioned OPs today also, though the name of learned counsel for petitioners in all three captioned OPs has been duly shown in the cause list and notwithstanding matter being listed under the caption 'FOR DISMISSAL'.

5. Therefore, all the three captioned OPs are dismissed for default/non-prosecution. There shall be no order as to costs. Consequently, connected applications are closed.

04.02.2021

Speaking order: Yes/No

Index: Yes/No

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*O.P.Nos.982 to 984 of 2019 and
A.Nos.9188 & 9750 of 2019*

M.SUNDAR.J.,

kmi



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and
A.Nos.9188 & 9750 of 2019

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04.02.2021