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Arb O.P.(Com. Div.)No.39 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.02.2022

Coram

THE HONOURABLE MR. JUSTICE M.SUNDAR

Arb O.P.(Com. Div.)No.39 of 2022

M/s.Cholamandalam Investment and Finance Company Ltd.,
(Formerly known as M/s.Cholamandalam
DBS Finance Limited)
Rep. by its Deputy General Manager - Legal
Dare House, No.2, N.S.C. Bose Road,
Chennai-600 001.

... Petitioner

vs.

1. M/s.Arihant Retail Private Limited
No.92, G A Road, Washermenpet
Chennai-600 021.

2. Vishal Surana
No.92, G A Road, Washermenpet
Chennai-600 021.

... Respondents

Arbitration Original Petition filed under Section 11(6)(b) read with
Section 14 of the Arbitration and Conciliation Act, 1996, to appoint a sole
Arbitrator for resolving the disputes between the parties.

For petitioner : Mr.KT.Sankar Subramanian



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ORDER

Mr.KT.Sankar Subramanian, learned counsel on record for petitioner, after some arguments sought leave of this Court to withdraw the captioned 'arbitration original petition' [hereinafter 'Arb OP' for the sake of convenience and clarity] but made a fervent plea to preserve the rights of petitioner to file a petition afresh either under Sections 15 and 14 'The Arbitration and Conciliation Act, 1996 (Act 26 of 1996)', which shall hereinafter be referred to as 'A and C Act' for the sake of brevity seeking substitution or any other appropriate manner, as this is a case where an arbitrator nominated by petitioner has recused himself on an objection being taken by respondent. Request acceded to.

2. Learned counsel has made an endorsement in the case file which reads as follows:

May be permitted to
withdraw with liberty
to file fresh petition
u/s 15 of A&C Act, 1996.
His
counsel for Respondent
14/02/2022



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3. Captioned Arb OP disposed of as withdrawn albeit preserving rights of petitioner in the aforesaid manner. There shall be no order as to costs.

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Speaking/Non-speaking order

Index : Yes / No

Internet : Yes / No

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M.SUNDAR. J

mk

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