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Arb O.P.(Com. Div.)No.40 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.40 of 2022

M/s.Cholamandalam Investment and Finance Company Ltd.,
Rep. by its Deputy General Manager
Dare House, No.2, N.S.C. Bose Road, Parrys
Chennai-600 001.

... Petitioner

vs.

1. Walter Johnson,
D-139, Dr Ambedkar Colony,
Khasra No-124-126 New Delhi, 110 030.
2. Promila Johnson,
D-139, Dr Ambedkar Colony,
Khasra No-124-126 New Delhi, 110 030.
3. Bina Wadhwa
D-139, Dr Ambedkar Colony,
Khasra No-124-126 New Delhi, 110 030.
4. M/s.Walter Johnson India Pvt. Ltd.,
D-139, Dr Ambedkar Colony,
Khasra No-124-126 New Delhi, 110 030.

... Respondents

Arbitration Original Petition filed under Section 11(4) of the Arbitration and Conciliation Act, 1996, to appoint a sole Arbitrator for resolving the disputes between the parties.



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For petitioner : Mr.KT.Sankar Subramanian

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 a liberty
to file a petition u/s. 15
of A & C Act.

11/14/02/22
counsel for petitioner



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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 Captioned Arb OP disposed of as withdrawn albeit preserving rights of petitioner in the aforesaid manner.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

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