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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 22ND DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE M.SUNDAR

ARB APPLN No. 90 of 2021

In the matter of the Arbitration and
Conciliation Act, 1996

and

In the matter of the disputes
between Indowind Energy Limited
and Suzion Energy Lined In the
matter of dispute arising out of
Memorandum of Understanding
dated 24.01.2008 and 26.02.2009
and operation and Maintenance
Agreement dated 24.08.2009 and
Minutes of the Meeting dated
22.06.2008.

INDOWIND ENERGY LIMITED

Registered Office, 4th Floor,
Kothari Building, No.114,
Nungambakkam High Road,
Chennai - 600 034.

..Applicant

-Vs-

M/S SUZLON ENERGY LIMITED,
Having its Corporate Office at Suzlon,
One Earth, Hadapsar,
Pune - 411 028.

..Respondent



Arbitration Application praying that this Hon'ble Court be pleased to direct the Respondent to repair the 8 WTGs that are not working and continue the operation and maintenance of the 12WTGs immediately till the completion of the contract period.

This Arbitration Application coming on this day before this court for hearing the court made the following order:-

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 20.06.2022.

2. Mr.K.Prem Chandar, learned counsel representing the counsel on record for the applicant and Mr.A.P.Balaji, learned counsel representing the counsel on record for the respondent are before this Court.

3. Learned counsel for applicant expresses regret for not representing the matter in the previous listing on 20.06.2022.

4. Be that as it may, learned counsel submits that a memo of withdrawal dated 15.06.2022 has been filed and a scanned reproduction of the same (together with docket) is as follows:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Ordinary Original Civil Jurisdiction)
Arb. Appl. No. 90 of 2021

In the matter of the Arbitration and Conciliation Act 1996 and in the matter of the dispute arising out of memorandum of understanding dated 24/01/2008 and 26/02/2009 and operation and maintenance agreement dated 24/08/2009 and minutes of the meeting of the meeting dated 22/06/2008

INDOWIND ENERGY LIMITED
Registered Office: 4th Floor,
Kothari Building, No. 114
Nungambakkam High Road,
Chennai - 600 034

... Applicant

Vs.

M/s. SUZLON ENERGY LIMITED
Having its corporate office at Suzlon,
One Earth, Hadapsar, Pune - 411 028.

... Respondent

MEMO FOR WITHDRAWAL

The parties above named submit as follows:

1. That the Applicant had filed the above application under Section 9 of Arbitration and Conciliation, 1996 seeking for interim reliefs pending initiation of arbitration for adjudication of disputes.
2. During the pendency of the present proceedings, the Applicant and the Respondent had entered into negotiation to amicably settle all the disputes between them. Pursuant to these talks between the parties, the Applicant and Respondent have amicably arrived at a consolidated settlement of the disputes between the parties and the terms of the said settlement has been duly recorded in the Memorandum of Settlement Agreement dated 21.01.2022

For INDOWIND ENERGY LTD.

Authorized Signatory

For SUZLON ENERGY LIMITED

Authorized Signatory



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executed between the parties. A copy of the same dated 21.01.2022 is enclosed herewith as an **Annexure**. The parties hereby agree to abide by the terms of settlement and comply with the same.

3. That in terms of the settlement arrived between the parties, it has been agreed between the parties that, they would withdraw the proceedings that they have initiated against each other including the present application recording the memo of settlement agreement between the parties.

In view of the abovementioned facts and circumstances, this Hon'ble Court may be pleased to take on record the settlement arrived at between the parties and dispose the above application in terms of the Settlement Agreement dated 21.01.2022 and pass such other orders in the interest of justice.

Dated at Chennai this 15th day of JUNE 2022

For INDOWIND ENERGY LTD.

APPLICANT
Authorized Signatory

COUNSEL FOR APPLICANT

For SUZLON ENERGY LIMITED
Authorized Signatory

RESPONDENT

COUNSEL FOR RESPONDENT

For INDOWIND ENERGY LTD.

Authorized Signatory

For SUZLON ENERGY LIMITED

Authorized Signatory



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5

15396
15396 CASE ON 20/06
30.06.2022
IN THE HIGH COURT OF
JUDICATURE AT MADRAS
(Ordinary Original Civil Jurisdiction)

Arb. Appl. No. 90 of 2021

Received
15/6/22
Counsel to Respondent
16/6/22

MEMO FOR WITHDRAWAL

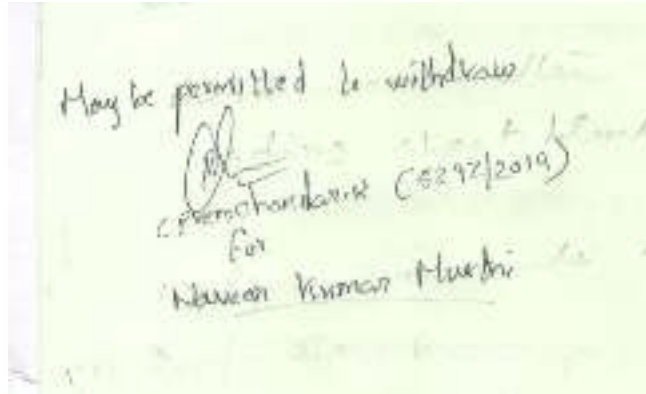
15396
HIGH COURT OF JUDICATURE
RECEIVED
16 JUN 2022
SECTION
ORIGINAL SIDE, MADRAS

NAVEEN KUMAR MURTHI
(1495/2011)
S.VARSHA (2001/2015)

COUNSELS FOR APPLICANT
9962245731



5. Learned counsel reiterates the aforementioned contents of memo of withdrawal. Learned counsel has also made an endorsement in the case file and a scanned reproduction of the same is as follows:



6. In the light of the narrative thus far, captioned Arbitration Application is disposed of as closed/withdrawn. Though obvious, it is made clear that this Court is not expressing any view or opinion on the merits of the matter. There shall be no order as to costs.

Sd/.M.S.J.
22.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/28.06.2022

COURT OFFICER(O.S.)

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