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Review Application No.159 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14..11..2022

Coram

The Honourable Mr. Justice P.N.PRAKASH  
and

The Honourable Mr. Justice SENTHILKUMAR RAMAMOORTHY

Review Application No.159 of 2022

1.The Chief Engineer,  
Highways,  
Metro/Employer,  
No.1, New Street,  
Super Bazaar Building,  
Alandur, Chennai 600016.

2.The Divisional Engineer,  
Highways, TNUDP-III,  
(C.M.D.P.-Division IV),  
Chennai 600016.

..... Petitioners

-Versus-

1.M/s.Roman Tarman Limited,  
Rep. by its General Manager,  
Mr.N.V.Natarajan,  
No.3, Rajparisvel Apartments,  
Sastri Nagar, VI Cross Street,  
Adayar, Chennai 600020.

2.The Executive Director,  
Tamil Nadu Road Infrastructure Development Corporation,  
4<sup>th</sup> Floor, LLA Building,  
735, Anna Salai, Chennai 600002.

.... Respondents



*Review Application No.159 of 2022*

Application filed under Order 47, Rule 1 r/w Section 114 of Civil Procedure Code, 1908, praying to review the judgment of this court dated 12.07.2021 made in O.S.A.No.147 of 2021.

*For Petitioners : Mr.A.Edwin Prabakar,  
Special Government Pleader  
(CS)*

*For Respondents : Mr.B.Harikrishnan for RR1 and  
2*

### **ORDER**

[Order of the Court was made by SENTHILKUMARRAMAMOORTHY.J.,]

This Review Application has been filed seeking to review the judgment of this Court dated 12.07.2021 made in O.S.A.No.147 of 2021.

2. The ground for review is limited to a typographical error in the Arbitral Award dated 28.12.2019 as a result of which the review applicant was directed to pay a sum of Rs.2,61,86,314/- instead of Rs.2,51,86,334/-. This aspect was not brought to the notice of the Court when the proceedings under Section 34 and Section 37 of the Arbitration and Conciliation Act, 1996, were conducted.

3. Learned counsel for the respondents submitted, on instructions, that the contention of learned counsel for the review applicants is liable to be



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accepted and that there is, indeed, a typographical error. He further states that the respondents are ready and willing to accept the sum of Rs.2,51,86,334/- instead of Rs.2,61,86,314/- with interest thereon as per the award. Both the counsel have filed a joint memo to such effect. The joint memo reads as under:-

“The Review Application No.159 of 2022 is filed seeking correction of arithmetical error in the Award dated 28.12.2019. The respondent admits that Rs.2,61,86,314/- has been mentioned inadvertently instead of Rs.2,51,86,334/-.

The respondent therefore has no objection for correction of the arithmetical error. Hence, the Review Application may be allowed to the extent of correcting the arithmetical error.”

By taking the aforesaid joint memo on record, this Review Application is disposed of. The joint memo filed by the parties shall form part and parcel of this order. No costs.

(P.N.P., J.) (S.K.R.,J.)  
14..11..2022

Index: yes/no  
kmk



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P.N.PRAKASH.J.,  
AND  
SENTHILKUMAR RAMAMOORTHY.J.,

kmk

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