



O.S.A.(CAD) No.157 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

O.S.A.(CAD) No.157 of 2022

The Chief Engineer,
TWAD Board, Northern Region,
Vellore-6.

.. Appellant

Vs

M/s.Sekhar Deepak Constructions Ltd.,
Old No.132, New No.241, Peters Road,
Gopalapuram,
Chennai-600 086.

.. Respondent

Prayer: Appeal filed under Section 13 of the Commercial Courts Act, 2015 read with Order XXXVI Rule 1 of the Original Side Rules against the order dated 22.11.2017 passed in O.P.No.652 of 2016.

For the Appellant : Mr.S.Silambanan
Additional Advocate General
for M/s.M.S.Mekhala

For the Respondent : Mr.M.K.Kabir
Senior Counsel
for Mr.T.Jayaraman



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JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

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Mr.S.Silambanan, learned Additional Advocate General appearing on behalf of the appellant, submitted that, without going into the merits of the matter, the appeal may be disposed of by altering the rate of interest awarded by the Arbitral Tribunal, as affirmed by the learned Single Judge, from 12% per annum to 9% per annum.

2. Mr.M.K.Kabir, learned Senior Counsel appearing on behalf of the respondent, readily agreed for the modification of the rate of interest to 9% per annum if the entire award amount is remitted within sixty days from the date of receipt of a copy of this order.

3. In view of the submission made by learned Senior Counsel on either side, the appeal is disposed of by directing the appellant to remit the entire amount as directed by the Arbitral Tribunal and affirmed by the learned Single Judge with interest at the rate of 9% per annum till the date of realisation within sixty days from the date



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of receipt of a copy of this order. In all other respects, the order passed by the learned Single Judge, affirming the award passed by the Arbitral Tribunal, remains unaltered.

There will be no order as to costs. Consequently, C.M.P.No.20081 of 2022 is closed.

(T.R., ACJ.) (D.K.K., J.)
18.11.2022

Index : No
sasi

To:

The Sub Assistant Registrar
Original Side
High Court, Madras.



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T.RAJA, ACJ.
AND
D.KRISHNAKUMAR,J.

(sasi)

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