



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM

THE HON'BLE MRS.JUSTICE S.ANANTHI

REV.APLC (MD)No.63 of 2022

WEB COPY

M/s.Mahasemam Trust,
Represented by its Trustee,
Mr.Prabhu Vairavan Pragasam,
A-1, VIP Apartments,
Lake Area Main Road,
Uthangudi Post,
Madurai - 625 107.

... Petitioner/Petitioner

Vs.

M/s.Kiara Microcredit Private Limited,
Falt No.G-1, VIP Apartments,
Lake Area Main Road,
Melur Road, Uthangudi,
Madurai - 625 107.

...Respondent/Respondent

PRAYER: Review Application filed under Order 47 Rule 1 of Civil Procedure Code, to review the order dated 28.02.2022 in C.R.P(MD) No.1881 of 2021.

PRAYER in C.R.P(MD)No.1881 of 2021: Civil Revision Petition under Article 227 of the Constitution of India, to call for the records of the sole arbitrator in I.A.No.1 of 2021 in Arbitration Case No.9 of 2020 dated 23.09.2021, set aside the same.

For Petitioner : Mr.K.Subramanian
for K.Hariharan

ORDER

The petitioner filed this Review Application to review the order dated 28.02.2022 in C.R.P(MD)No.1881 of 2021.

2.The petitioner has filed a Civil Revision Petition to set aside the order in I.A.No.1 of 2021 in Arbitration Case No.9 of 2020. In I.A.No.1 of 2021, the Arbitrator has stated only the counsel for the respondent would state that he has no other question put forth CW.1. But in Civil Revision Petition, this Court observed that the Arbitrator has every right to interfere in the cross examination when irrelevant questions are asked to the process. If



any irrelevant question are put in cross examination, the petitioner has every right to object the question then and there and also confirmed the order passed in I.A.No.1 of 2021. The order has to be read entirely and observation made in the Civil Revision Petition is that the Arbitrator has every right to interfere in the cross examination, when irrelevant question are put to the process. The said view is taken in paragraph No.46 of the Judgment reported in 2020 SCC Online Delhi 228, Sukhbir Sing Vs. Hindustan Petroleum Corporation P.Ltd. Since there is no error apparent on the face of record and no ground is made out for reviewing the order, this Review Application is dismissed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Vsd

To

1. THE ARBITRATOR

ARBITRAL TRIBUNAL, MADRAS HIGH COURT, MADRAS.

+2 CC to M/s.K.HARIHARAN, Advocate (SR-15407[F] dated 30/03/2022)

Order made in
REV.APLC(MD)No.63 of 2022

Dated: 29.03.2022

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tp(CO)

TR(06.06.2022) 2P 4C