

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2913 of 2018

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Satyam Automobiles Private Limited Son of Kapildev Rai N.H. 31, Near
Gyan Bharti School, P.O. District - Begusarai, at present Sri Krishna Nagar,
Ward No. 7, Harraikh, Begusarai.

... .. Petitioner/s

Versus

1. The Chairman Cum Managing Director, Mahindra and Mahindra
Financialservices Ltd. and Anr
2. Sanjay Agarwal, Advocate, B - 103, 1st Floor, Madhuwan Coop Housing
Society, Near Telephone Exchang

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 31-01-2023 Petitioner has prayed for the following relief(s):

“For quashing the Impugned Award
dated 14.09.2017, passed by Respondent No. 2
namely Sanjay Agarwal, Sole Arbitrator in
Reference No. Mahindra &
Mahindra/SME/RB/4544/LOT-27/01 in which
(A) petitioners were directed to pay jointly to
the claimant i.e. Mahindra & Mahindra
Financial Services Ltd. A sum of Rs.
1,19,83,947/= with further interest @ 18% per
annum w.e.f. 3.5.2017 till the payment is
received or recovered, (B) The claimant is
further directed to deduct the amount from the



Award, if any, paid by the petitioners during arbitration proceeding, i.e. from the date of commencement till the date of Award and (c) The Lenders/claimants are also entitled to recovery from the petitioners a cost of Rs.10,000/+ which is Awarded for / toward all costs and expenses which may be borne or incurred by the claimant as the costs/expenses of Arbitral proceeding.”

After the matter was heard for some time, finding the Court not in favour of the submissions made across the Bar, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are



left open to be agitated before the competent authority.

Interlocutory application(s), if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

K.C.Jha/DKS

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