



A.No.1201 of 2023
in Arb.O.P.(COM.DIV).No.242 of 2021

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SENTHILKUMAR RAMAMOORTHY, J.

By order dated 10.01.2023, O.P.No.519 of 2016 and Arb.O.P.(Comm.Div.) No.242 of 2021 were dismissed.

2.By this application, M/s.Mysore Sales International Ltd. (MSIL) seeks a clarification with regard to paragraph No.24 of the order. In specific, the applicant seeks insertion of the following sentence:

“M/s. Vaata Smart Limited shall make good the shortfall in the residual value of Wind Mills.”

3.In the arbitral award dated 27.04.2016, the Arbitral Tribunal examined the question relating to the entitlement of MSIL to the residual value. The challenge to the said award was rejected by this Court by the earlier order. Therefore, this issue cannot be resurrected by way of an application for clarification. It is needless to say, however, that it is open to the parties to agitate issues arising out of independent causes of action in the manner prescribed by the contract.



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4. With the above observation, this application stands disposed of.

02.03.2023

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