



Arb.O.P.(Com.Div.) No.168 of 2021,
O.P.No.423 of 2018
and A.No.4657 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb.O.P.(Com.Div.) No.168 of 2021,
O.P.No.423 of 2018 and A.No.4657 of 2018

1.A. Bonipass

2.V. Ponmozhi

... Petitioners in
both OPs

Vs.

1.Shriram City Union Finance Ltd.,
Rep. by its Authorized Signatory K. Ranganathan,
Having its registered office at:
No.123, Angappa Naicken Street,
Chennai – 600 001.

... 1st Respondent
in both OPs

2.Anbalagan. T

... 2nd Respondent in
Arb.OP.(Com.Div.) No.168/2021
... & 3rd Respondent in
O.P.No.423/2018

3.Ravichandran C A

... 2nd Respondent
in OP.No.423 of 2018

Prayer in Arb.O.P.(Com.Div.) No.168/2021 : Arbitration Original Petition



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(Commercial Division) filed under Section 34 of the Arbitration and Conciliation Act, 1996, praying to set aside the Arbitral Award dated 14.02.2020 made in Arbitration Case No.YKR/SCUF/1 of 2018 passed by the Sole Arbitrator, on the above reasonable grounds as per Arbitration and Conciliation Act, 1996 with cost.

Prayer in O.P.No.423/2021 : Original Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996, praying to set aside the Ex-parte Arbitral Award dated 06.08.2015 made in A.C.P.No.(EF/CAR) ACP 86/2014 passed by the Sole Arbitrator appointed by the respondent, on the ground of non-service of arbitration notices to the petitioners and also the invalid award made by the arbitrator after his termination due to the time limit as per Arbitration and Conciliation Act, 1996.

For Petitioners : M/s.Suba Shiny
(in both OPs)

For Respondents : Mr.K.V. Ananthakrushnan
(in both OPs)

ORDER

By order dated 19.07.2018 passed in A.No.5394 of 2018 in O.P.No.423 of 2018, this Court had directed to keep O.P.No.423 of 2018 in abeyance till the outcome of the fresh arbitration. Pursuant to the said order, fresh arbitration was also initiated and only in terms of the fresh arbitration,



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the impugned Arbitral Award was passed which is the subject matter of
Arb.O.P. (Com.Div.) No.168 of 2021.

2. Both the counsels have made an endorsement in the Court bundle,
on instructions, that the first respondent in both the O.Ps is willing to obtain
payment out of a sum of Rs.3,00,000/-, which is now lying to the credit of
these Original Petitions towards full and final settlement of the first
respondent's claim against the petitioners.

3. In terms of the endorsement made by both the counsels,
Arb.O.P.(Com.Div.) No.168 of 2021 and O.P.No.423 of 2018 are disposed
of. Connected A.No.4657 of 2018 is also closed. In terms of the said
endorsement, the Registry is directed to issue a cheque/RTGS for a sum of
Rs.3,00,000/- favouring the first respondent, as expeditiously as possible.

30.08.2023

Index: Yes/ No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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ABDUL QUDDHOSE, J.

Sni

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30.08.2023