



WEB COPY



OSA (CAD) No.116 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

OSA (CAD) No.116 of 2023
and CMP No.19840 of 2023

1. Madhusudan Khemka
2. R.Sundaresh

... Appellants

-VS-

L & T Infra Investment Partners Trustee
Private Limited, Rep. by its
Authorized Signatory, Mr.Ramanand Pulavarti.

... Respondent

Prayer: Appeal filed under Order XXXVII Rule 1 of the Original Side Rules read with Section 13 of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Act, 2018 and Section 37(b) of the Arbitration and Conciliation Act, 1996 against the order dated 28.04.2023 passed in Arb. Appeal No.264 of 2023 on the file original side of this Court.

For the Appellants : Mr.AR.L.Sundaresan
Senior Counsel
for Mr.B.Sasidharan

For the Respondent : Ms.Varuni Mohan

* * * * *



OSA (CAD) No.116 of 2023

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JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.AR.L.Sundaresan, learned Senior Counsel for the appellants and Ms.Varuni Mohan, learned counsel for the respondent.

2. It is submitted that the impugned order directing the present appellants to disclose the personal assets is without notice to the present appellants.

3. The learned counsel for the respondent submits that in fact all the applications under Section 9 of the Arbitration and Conciliation Act, 1996, are ready for hearing and the respondent would argue the same. The learned counsel for the respondent, on instructions, further submits that the respondent would not insist for compliance of the order impugned in the present appeal.

4. Even otherwise, the impugned order is passed ex parte.



OSA (CAD) No.116 of 2023

WEB COPY

5. As a statement is made by the learned counsel for the respondent that the respondent would not insist for the implementation of the impugned order and further that the order is exparte one and the appellants can also take steps as against the said order before the court passing the order, we are not passing any further orders in the present appeal.

The Original Side Appeal (CAD) as such stands disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

19.09.2023

Index : Yes/No

Neutral Citation : Yes/No

sra

To

The Section Officer,
Original Side Section,
Madras High Court, Chennai.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

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