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Arb.O.P.(Com.Div).No.295 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

Arb.O.P.(Com.Div).No.295 of 2021

Keerthy Travels
Now a Partnership Firm,
Represented by its Managing Partnership,
Mr.V.Krishnan,
Hotel Hilux Buildings,
No.15/722, Keerthy Kunnathur Medu,
Palakkad – 678 013,
Kerala State.

... Petitioner

vs.

1.Bharath Petroleum Corporation Ltd.,
No.1, Ranganathan Gardens,
Off 11th Main Road,
Anna Nagar West,
Chennai – 600 040.

2.The Managing Director,
Bharath Petroleum Corporation Ltd.,
Bharath Bhavan, Ballard Estate,
Mumbai – 400 001.

3.The Director (Marketing),
Bharath Petroleum Corporation Ltd.,
Bharath Bhavan, Ballard Estate,
Mumbai – 400 001.

...Respondents



Prayer: Arbitration Original Petition (Commercial Division) filed under Section 11(b) of the Arbitration and Conciliation Act, 1996 to appoint arbitrator to decide the dispute between the petitioner and the respondents in accordance with law.

For Petitioner : Mrs.R.Jayasudha Suryanarayanan

For Respondents : Mr.S.Ramasubramaniam
for M/s.Ramasubramaniam Associates

ORDER

The learned counsel for the petitioner would submit that aggrieved by the order passed under Section 34 of the Arbitration and Conciliation Act, 1996, the respondent in the said Section 34 application has preferred Original Side appeals, which are still pending on the file of a Division Bench of this Court. Therefore, she has made an endorsement in the Court bundle withdrawing this Section 11 application, but, however, seeks liberty of this Court to file a fresh application under Section 11 of the Arbitration and Conciliation Act, 1996 depending upon the outcome of the Original Side Appeals.

2. The said endorsement made by the learned counsel for the petitioner is recorded. In terms of the said endorsement, this petition is



disposed of, by granting liberty to the petitioner to file a fresh application under Section 11 of the Arbitration and Conciliation Act, 1996 seeking for appointment of an Arbitrator depending upon the outcome of the Original Side Appeals filed by the respondent in the Section 34 application.

11.07.2023

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Index: Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No



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ABDUL QUDDHOSE, J.

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