



WEB COPY



Arb. O.P.(Com. Div.) No.17 of 2023
and
Arb. O.p. (Com. Div.) No.55 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb. O.P. (Com. Div.) No.17 of 2023

and

Arb. O.P. (Com. Div.) No.55 of 2023

M/s.Shriram Transport Finance Company Ltd.,
Rep. by its Power of Attorney/
Authorised Officer,
V. Saravanan

... Petitioner
in
both O.P.s

VS.

1. S. Rajasekaran

... 1st respondent
in Arb. O.P. (Com. Div.)
No.17 of 2023 and
2nd respondent in
Arb. O.P.(Com. Div.)
No.55 of 2023

2. A.R. Ram

... 1st respondent
in Arb. O.P. (Com. Div.)
No.55 of 2023 and
2nd respondent in
Arb. O.P.(Com. Div.)
No.17 of 2023



Arb. O.P.(Com. Div.) No.17 of 2023
and
Arb. O.p. (Com. Div.) No.55 of 2023

Prayer in Arb. O.P. (Com. Div.) No.17 of 2023 : Arbitration Original Petition (Commercial Division) filed under Section 11(4) of the Arbitration and Conciliation Act, 1996 to appoint a sole Arbitrator.

Prayer in Arb. O.P. (Com. Div.) No.55 of 2023 : Arbitration Original Petition (Commercial Division) filed under Section 11(4) of the Arbitration and Conciliation Act, 1996 to appoint a sole Arbitrator.

For petitioner in both O.P.s : Mr.E. Prabu
For respondents in both O.Ps : Mr.Deepak Narayanan

COMMON ORDER

The learned counsel for the petitioner has made an endorsement in the Court bundle seeking permission of this Court to withdraw these petitions, which have been filed under Section 11 of the Arbitration and Conciliation Act, 1996. However, he seeks liberty for the petitioner to file a fresh Section 11 petition after satisfying with the statutory requirements as per the provisions of Section 21 of the Arbitration and Conciliation Act, 1996.

2. Insofar as other contentions raised by the respondents in these petitions are concerned, the learned counsel for the petitioner would



Arb. O.P.(Com. Div.) No.17 of 2023
and
Arb. O.p. (Com. Div.) No.55 of 2023

submit that there are no merits in the said contentions. Since liberty is sought for by the petitioner to file fresh petitions under Section 11 of the Arbitration and Conciliation Act, 1996 and this Court is agreeable to grant such a liberty, the necessity for this Court to consider the other contentions raised by the respondents will not arise.

3. After recording the endorsement made by the learned counsel for the petitioner, on instructions, these petitions are dismissed as withdrawn. However, liberty is granted to the petitioner to file a fresh petition under Section 11 of the Arbitration and Conciliation Act, 1996, after complying with the statutory requirements of Section 21 of the Arbitration and Conciliation Act, 1996. The respondents are also granted liberty to raise all objections whenever such petitions are filed before this Court.

07.09.2023

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Arb. O.P.(Com. Div.) No.17 of 2023
and
Arb. O.p. (Com. Div.) No.55 of 2023

ABDUL QUDDHOSE, J.

vsi2

**Arb. O.P. (Com. Div.) No.17 of 2023
and
Arb. O.P. (Com. Div.) No.55 of 2023**

07.09.2023