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Arb. O.P(Com.Div). No.510 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2023

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

Arb. O.P(Com.Div).No.510 of 2022

M/s.Daimler Financial services India
Private Limited,
Rep.by Authorised Signatory
having its office *interalia* at
5th Floor, Plot 8, Baashyam Willow Square
9 & 10, First Street, Thiru VI Ka Industrial Estate,
Guindy, Chennai – 600 032.

... Petitioner

Vs.

1. M/s.Shree Bharat Motors Limited,
Represented by Managing Director,
NH -5, Pahal Bhubaneswar,
Odisha – 752 101.
2. Mr.Jay Prakash Didwania
Plot No.1, Laxmi Sagar, Cuttack Road,
Bhubaneswar Odisha – 751 006.
3. Mr.Om Prakash Didwania,
Plot No.1, Laxmi Sagar, Cuttack Road,
Bhubaneswar Odisha – 751 006.
4. Mr.Dev Prakash Didwania,
Plot No.1, Laxmi Sagar, Cuttack Road,
Bhubaneswar Odisha – 751 006.
5. Mrs.Anita Didwania
Plot No.1, Laxmi Sagar, Cuttack Road,
Bhubaneswar Odisha – 751 006.

... Respondents



PRAYER : Original Petition is filed under Section 11(4) of the Arbitration and Conciliation Act, 1996, praying to appoint a sole arbitrator to adjudicate and resolve the disputes through arbitral proceedings between the parties.

For Petitioner : Mr.E.Alwin

For Respondents : Ms.Anisha Chandrakumar
for M/s.Anirudh Krishnan

ORDER

This Arbitration Original Petition has been filed by the petitioner seeking to appoint a sole arbitrator to adjudicate and resolve the disputes through arbitral proceedings between the parties.

2.When this matter is taken up for hearing on 22.11.2022 , the learned counsel appearing for the petitioner as well as the respondents jointly made a request to refer the matter to the mediation. Accordingly the matter was referred to the mediation. Thereafter, the matter is listed today after the completion of mediation proceedings. Today, the learned counsel appearing for both the petitioner and respondents, would submit that the parties have reached settlement, by entering into a Memorandum of Understanding dated 27.03.2023, signed by the parties along with their learned counsel and requested this Court to dispose of the arbitration original petition in terms



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thereof mentioned in the Memorandum of Understanding dated 27.03.2023

entered by the parties.

3.Considering the submissions made by the learned counsel appearing for both the parties and in view of the Memorandum of Understanding filed by them having arrived at an amicable settlement among themselves by the parties, this Court feels it appropriate to dispose of the arbitration original petition in terms of the Memorandum of understanding dated 27.03.2023 entered by the parties.

4.Accordingly, this arbitration original petition is disposed of in terms of the Memorandum of Understanding dated 27.03.2023. The Memorandum of Understanding dated 27.03.2023 is recorded and the same shall form part and parcel of this order.

03.04.2023

mp



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KRISHNAN RAMASAMY. J.,
mp

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