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Application Nos.314 to 316 of 2023 in
O.P. No.838 of 2016 and C.R.P. Nos.3896 to 3899 of 2017

ABDUL QUDDHOSE, J.

A.Tulsi Ram

... Applicant in all applications

Versus

M/s.Chaithanya Builders and Leasing Private Limited,

Chennai – 600 018 and 3 others

... Respondents in all applications

Application No.314 of 2023 has been filed to condone the delay of 243 days in filing the application to set aside the abatement caused in view of the death of the second respondent namely, A.Krishnan in Arb.O.P. No.838 of 2016.

Application No.315 of 2023 has been filed to set aside the abatement caused in view of the death of the second respondent namely, A.Krishnan in Arb.O.P. No.838 of 2016.

Application No.316 of 2023 has been filed to bring on record proposed respondents, 2 to 4 namely, Maheswari Krishnan, Vignesh Krishnan and Deepak Krishnan as legal heirs of the deceased 2nd respondent A.Krishnan in Arb.O.P. No.838 of 2016 as respondents 3 to 5.



2.Learned counsel appearing for the proposed respondents submits that the allegations levelled by the applicant are all false. A memo to that effect has also been filed by the proposed respondents.

3.The contentions of the proposed respondents can be decided by this Court while this Court decides Arb.O.P. No.838 of 2016 filed under Section 34 of the Arbitration and Conciliation Act.

4.Accordingly, these applications are allowed as prayed for without prejudice to the rights and contentions of the proposed respondents, who are granted liberty to raise all their objections known to them under law in Arb.O.P. No.838 of 2016.

5.Learned counsel for the petitioners in Civil Revision Petitions namely, C.R.P. Nos.3896 to 3899 of 2017 has made an endorsement in the Court bundle that the petitioners are giving up Late Mr.A.Krishnan, who is one of the respondents in all C.R.Ps. The said endorsement is recorded.

6.Registry is directed to remove the name of Mr.A.Krishnan from the array of party respondents in all the CRPs and carry out the necessary



amendments in terms of this order and list the O.P. No.838 of 2016 and connected C.R.P. Nos.3896 to 3899 of 2017 for hearing on 11.08.2023

7.Both the counsels are directed to file their brief notes of submissions along with the authorities they rely upon before the next hearing date.

8.Learned counsel for the petitioners is directed to serve copies of papers to all the opposie counsels, who have not been served with the same.

12.07.2023

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ABDUL QUDDHOSE, J.

vga

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