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Arb.O.P (Com.Div.) Nos.33 to 40 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.06.2023

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THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

Arb.O.P (Com.Div.) Nos.33 to 40 of 2023

1. HRJ Technology Pvt. Ltd.,
rep. By its Director,
Mr.Sailesh Jalan,
having its registered office
at N.12,Rastra Guru Avenue, 4th Floor,
Nagerbazar, Kolkatta – 700 028.

... Petitioner in Arb.O.P (Com.Div.) Nos.33, 34, 38 & 40 of 2023

2. Hollyfield Devcon Pvt. Ltd.,
rep.by its Director/Authorized Signatory,
Sailesh Jalan, 12B, Ranganal Street,
Kidderpore, Kolkata – 700 023.

... Petitioner in Arb.O.P (Com.Div.) Nos.35, 36, 37, 39 of 2023

Vs.

Union of India,
represented by its General Manager,
Integral Coach Factory,
Dr.Ambedkar Road,
Integral Coach Factory Area,
Seeyalam, Konnur, Chennai – 600 023.

... Respondent in all Arb.O.Ps.



Arb.O.P (Com.Div.) Nos.33 to 40 of 2023

Common Prayer in all Original Petitions:

Arbitration Original Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint Sole Arbitrator for adjudicating the dispute and differences between the parties arising out of the purchase orders, being No.08192674100152 dated January, 10, 2020, 08192684100186 dated January, 16, 2020; 08192674100151 dated January, 10, 2020; ; 08192673103841 dated December, 09, 2019; 08192684100185 dated January, 16, 2020; 08192673103842 dated December, 09, 2019; 08192683100158 dated January, 11, 2020 and 08192683100159 dated January, 11, 2020

Appearance of the counsel in all O.Ps.

For Petitioners : Mr.Avinash Wadhwani

For Respondent: Mr..CKulanthaivel, Senior Panel Counsel
Additional Standing Counsel

COMMON ORDER

All these Arbitration Original Petitions have been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint Sole Arbitrator for adjudicating the dispute and differences between the parties arising out of various purchase orders, as detailed in prayer portion of this order.

2. Since all these disputes have arisen out of the purchase orders placed by Union of India, Integral Coach Factory, represented by its General



Manager, who is respondent in all these Petitions against the petitioners, viz., i) Hollyfield Devcon Pvt. Ltd., and ii) HRJ Technology Pvt. Ltd., all these Petitions are taken up together and disposed of vide this common order.

3. The learned counsel for the respondent submits that subsequent to the filing of these Petitions, cancellation of the purchase orders were withdrawn, and the petitioners have been re-issued with the said purchase orders. Therefore, as of now, the present dispute is sorted out. However, the learned counsel for the petitioners would submit that during the interregnum, i.e. from the date of cancellation of purchase orders to till date, interests of the petitioners have to be protected, in the event, any damages occurs. For the said submission, the learned counsel for the respondent has unconditionally agreed for the renewal of the purchase orders. Therefore, the question of damage does even arise. Therefore, the learned counsel for the respondent prays that petitions may be closed.



Arb.O.P (Com.Div.) Nos.33 to 40 of 2023

4. Considering the submissions made by the learned counsel for the parties, all these Petitions are closed, as no further orders are required, since there is no dispute subsisting for adjudication. In the event, if there is any damages, it is always open to the petitioners to claim for the same, in accordance with law.

08.06.2023

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation: Yes / No

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KRISHNAN RAMASAMY.J.,
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