



WEB COPY



O.P. No.68 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.11.2023

CORAM

THE HON'BLE Mr. JUSTICE C.SARAVANAN

O.P.No.68 of 2021
and A.No.246 of 2021

1. Mr.Parmanand Kishanchand Banwani
2. Mrs.SangeetaBanwani

... Petitioners

Vs.

1. Ford credit India Private Limited,
Having its registered office at:
S.P.Koli Post, Chengalpattu,
Kancheepuram,
Chennai – 603 204.

Also at:
5th Floor, 4B Campus,
RMZ Millena, Dr.MGR Road,
Perungudi,
Chennai – 600 096.

2. Sai Sakshi Abhikaran Motors Pvt. Ltd.,
Having its registered office at:
Planet Fort, S.No.685/2B & 2C,
Bidviewadi Pune-Satara Road, Sharada Arcade,
Pune – 411 037.

Also at:
Sharada Arcade, S.No.685 1B & 2B,
Pune Satara Road, Bidviewadi,
Pune – 411 037.



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Also at:

Mumbai Bangalore Highway, S.No.131,
Near Sayaji Hotel, Bhumkar Chowk,
Wakad, Pune – 411 007.

3. Mrs.SaviRajpal,
Director,
SaiSakshiAbhikaran Motors Pvt. Ltd.
Sharada Arcade, S.No.685 1B & 2B,
Pune Satara Road, Bibvewadi,
Pune – 411 037.
4. Mr.Rakesh Rajpal,
Director/Guarantor,
M/s.Sai Sakshi Abhikaran Motors Pvt. Ltd.
House No.7, Triveni Nagar,
Indore, Madhya Pradesh – 452 001.
5. Mr.Puneet Vijay Wadhwani,
D.No.48, Basant Vihar Colony,
Gwalior, Madhya Pradesh – 474 007.

...Respondents

Prayer: Original Petition filed under Section 34 (2) (a) (iv) of the Arbitration and Conciliation Act, 1996, to set aside the Arbitration Award dated 06.08.2018 passed by the Arbitral Tribunal which had arisen out of the dispute between the Petitioners and the Respondent No.1 and direct the Respondent No.1 to pay the cost of this Petition.

For Petitioners	:M/s.Abitha Banu
For R1	:Ms.Rohini Ravi Kumar

ORDER

This Original Petition have been filed by the petitioners, seeking to set aside the Arbitration Award dated 06.08.2018 passed by the Arbitral Tribunal.



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2. The learned counsel for the petitioners submits that the petitioners are not responding to him and therefore, reports no instructions.

3. The learned counsel for the first respondent submits that the first respondent has been now taken over by M/s.Kotak Mahindra Bank Limited and submits that unless the petition is amended the first respondent will be unable to file any counter.

4. Considering the fact that the learned counsel for the petitioner is unable to get further instructions from the petitioner, this Original Petition is dismissed with liberty to restore the same and there is no point in keeping this Original Petition pending. Accordingly, the Original Petition is dismissed for statistical purpose.

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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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C.SARAVANAN, J.

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