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Arb.OP(Com.Div)No.81 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.04.2024

CORAM:

The Hon'ble Mr. Justice Krishnan Ramasamy

Arb.OP(Com.Div)No.81 of 2024

M/s.Mercedes-Benz Financial Services India Private Limited,
Formerly known as M/s.Daimler Financial Services,
5th Floor, Plot 8, Baashyam Willow Square 9 & 10,
First Street, Thiru Vi Ka Industrial Estate,
Guindy, Chennai 600 032.

Represented by its Authorised Signatory

...Petitioner

Vs

1. Mr.Arumugam Mahendran
Flat No.5, Godrej Bay View 5th Floor,
A.G.Khan Road,
Worli, Mumbai,
Maharashtra 400 030.

2. M/s.Mahendran Holdings Pvt. Ltd.,
207/A, The Enterprise Co-op Chs
Prabhadevi Ind.Estate, Prabhadevi,
Mumbai, Maharashtra 400 025.

....Respondents

Prayer:-

This Arbitration Original Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint a sole arbitrator to adjudicate the dispute between the petitioner and the respondents as per the Loan Agreement Dated 31.08.2015 bearing Contract No.10115925 and to direct the respondent to pay costs.



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For Petitioner : Mr.D.Pradeep Kumar

For Respondent-1 : Notice served, No appearance

For Respondent-2 : Left

ORDER

The learned counsel for the petitioner submits that the respondents have made some part payment and therefore, the learned counsel seeks permission of this Court to withdraw the Arbitration Original Petition with liberty to file fresh Petition and he has also made an endorsement to that effect in the Petition.

2. In view of the aforesaid submission and endorsement made by the learned counsel for the petitioner, this Arbitration Original Petition is dismissed as withdrawn with liberty as sought for. No costs

30.04.2024

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KRISHNAN RAMASAMY.J

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