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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.838 of 2024

1.B.Saravanan

2.S.Ambiga

3.A.Thirumal

..Appellants

.vs.

M/s.Cholamandalam Investment & Finance Ltd.,
Rep.by its Authorised Signatory
Mr.Alex Varghese
Dare House
No.2, NSC Bose Road
Parrys, Chennai-600 001.

..Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 37(1) of Arbitration and Conciliation Act, 1996, to set aside the attachment order dated 09.11.2023 in I.A.No.1/2023 in ARC/CIFL/VL/7918 of 2022, passed by Mr.G.Kumanan (Retd., Dist.,Judge) in the manner of Arbitration and Conciliation Act, 1997 vide Agreement No.XOCERAN00004483264.

For Appellants : Mr.R.Ramesh

For Respondent : Mr.A.Rajavel



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JUDGMENT

When the matter came up for hearing on 24.07.2024, this Court passed the following order :

Learned counsel for respondent, during the course of arguments, submitted that the final award itself has been passed by the Arbitral Tribunal on 09.10.2023.

2. Learned counsel for appellants seeks for some time to take instructions in this regard.

3. Learned counsel for respondent shall produce the final award passed in this case.

Post this appeal under the same caption on 31.07.2024.

2.The learned counsel for the appellants submitted that when the notice was issued by the respondent on 27.05.2024, there was not even a mention about the award passed by the Arbitrator on 09.10.2023 and that the appellants were not aware regarding the award passed by the Arbitrator.

3.In the considered view of this Court, now that the final award has been passed and a copy of the same has also been served on the learned counsel for the appellants, it will be left open to the appellants to workout their remedy in the manner known to law. No useful purpose will be served in dealing with the interim order passed by the Arbitrator when the final award itself has been passed.



4. In the result, this Civil Miscellaneous Appeal is disposed of in the above terms. No costs.

31.07.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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N. ANAND VENKATESH., J

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