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OSA (CAD) NOS.57 AND 58 OF 2021 & 37 AND 38 OF 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

OSA (CAD) NOS.57 AND 58 OF 2021 AND 37 AND 38 OF 2022

AND

CMP NOS.4148 AND 4149 OF 2022

OSA (CAD) NO.57 OF 2021

1.AAPICO INVESTMENT PTE. LIMITED

745 Toa Payoh Lor 5

01-07 The Actuary

Singapore – 319455.

Through the Authorised Representative

Kaikhushru Vicaji Taraporevala Level 42

Six Battery Road, Singapore – 049909

Represented by his Power of Attorney

S.Sakthivel, having place of business at

2/34, F-2, 1st Floor, Bajanai Kovil Street,

Mangadu Main Road, Moulivakkam,

Chennai – 600 116.

(Cause title accepted vide Court order dated

05.08.2021)



OSA (CAD) NOS.57 AND 58 OF 2021 & 37 AND 38 OF 2022

2.AAPICO HITECH PUBLIC COMPANY LIMITED

99 Mool Hitech Industrial Estate,

Tambol Ban Lane,

Amphur bang Pa-in, Ayutthaya, Thailand – 13160

Through the Authorised Representative,

Kaikhushru Vicaji Taraporevala

Level 42, Six Battery Road,

Singapore – 049909.

Represented by his Power of Attorney

S.Sakthivel, having place of business at

2/34, F-2, 1st Floor, Bajanai Kovil Street,

Mangadu Main Road, Moulivakkam,

Chennai – 600 116.

... Appellants

VS.

Manickam Mahalingam

... Respondent

PRAYER: Appeal filed under Section 37 of the Arbitration and Conciliation Act, 1996, read with Section 13 of the Commercial Courts Act, 2015, to set aside the order dated 02.06.2021 in Application No.9768 of 2019 and direct the respondent to disclose on affidavit before this Court details of all his assets, movable (including but not limited to shares) and immovables, monies, bank deposits and accounts held by him singly or jointly (with any person or entity) and / or severally wherever in the world pending disposal of arbitral proceedings.

For Appellants : Mr.Roshan Balasubramanian

For Respondent : Mr.Pranav V. Shankar



OSA (CAD) NOS.57 AND 58 OF 2021 & 37 AND 38 OF 2022

OSA (CAD) NO.58 OF 2021

WEB COURT AAPICO INVESTMENT PTE. LIMITED

745 Toa Payoh Lor 5

01-07 The Actuary, Singapore – 319455.

Through the Authorised Representative

Kaikhushru Vicaji Taraporevala Level 42

Six Battery Road, Singapore – 049909

Represented by his Power of Attorney

S.Sakthivel, having place of business at

2/34, F-2, 1st Floor, Bajanai Kovil Street,

Mangadu Main Road, Moulivakkam,

Chennai – 600 116.

(Cause title accepted vide Court order dated
05.08.2021)

... Appellant

VS.

Manickam Mahalingam

... Respondent

PRAYER: Appeal filed under Section 37 of the Arbitration and Conciliation Act, 1996, read with Section 13 of the Commercial Courts Act, 2015, to set aside the order dated 02.06.2021 in Application No.9492 of 2019 and direct the respondent to disclose on affidavit before this Court details of all his assets, movable (including but not limited to shares) and immovables, monies, bank deposits and accounts held by him singly or jointly (with any person or entity) and / or severally wherever in the world pending disposal of arbitral proceedings.

For Appellant : Mr.Roshan Balasubramanian

For Respondent : Mr.Pranav V. Shankar



OSA (CAD) NOS.57 AND 58 OF 2021 & 37 AND 38 OF 2022

OSA (CAD) NO.37 OF 2022

Dr.Manickam Mahalingam

... Appellant

VS.

1.AAPICO INVESTMENT PTE. LIMITED

745 Toa Payoh Lor 5, # 01-07 The Actuary,
Singapore – 319455.

Through the Authorised Representative
Kaikhushru Vicaji Taraporecala
Level 42, Six Battery Road,
Singapore – 049909.

2.AAPICO HITECH PUBLIC COMPANY LIMITED

99 Mool Hitech Industrial Estate,
Tambol Ban Lane, Amphur bang Pa-in,
Ayutthaya, Thailand – 13160

Through the Authorised Representative,
Kaikhushru Vicaji Taraporecala
Level 42, Six Battery Road,
Singapore – 049909.

... Respondents

PRAYER: Appeal filed under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of Letters Patent, to set aside the judgment and decree order dated 02.06.2021 in O.A.No.1148 of 2019 on the file of this Court.

For Appellant : Mr.Pranav V. Shankar

For Respondents : Mr.Roshan Balasubramanian



OSA (CAD) NOS.57 AND 58 OF 2021 & 37 AND 38 OF 2022

OSA (CAD) NO.38 OF 2022

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Dr.Manickam Mahalingam

... Appellant

VS.

AAPICO INVESTMENT PTE. LIMITED

745 Toa Payoh Lor 5, # 01-07 The Actuary,
Singapore – 319455.

Through the Authorised Representative

Kaikhushru Vicaji Taraporecala

Level 42, Six Battery Road,

Singapore – 049909.

... Respondent

PRAYER: Appeal filed under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of Letters Patent, to set aside the judgment and decree order dated 02.06.2021 in O.A.No.1100 of 2019 on the file of this Court.

For Appellant : Mr.Pranav V. Shankar

For Respondents : Mr.Roshan Balasubramanian



OSA (CAD) NOS.57 AND 58 OF 2021 & 37 AND 38 OF 2022

COMMON JUDGMENT

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

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Mr.Pranav V.Shankar, learned counsel appearing for the appellants in OSA (CAD) Nos.37 and 38 of 2022 and Mr.Roshan Balasubramanian, learned counsel appearing for the appellants in OSA (CAD) Nos.57 and 58 of 2021 would submit that the entire dispute has been resolved and they have instructions to withdraw the appeals. Learned counsels have also made endorsement to that effect.

In view of the same, all the appeals are dismissed as settled out of Court. No costs. Consequently, connected civil miscellaneous petitions are closed.

[R.S.M., J.]

[R.S.V., J.]

12.01.2024

Internet : Yes

Neutral Citation : No

Non-speaking order

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OSA (CAD) NOS.57 AND 58 OF 2021 & 37 AND 38 OF 2022

R.SUBRAMANIAN, J.

AND

R.SAKTHIVEL, J.

TK

OSA (CAD) NOS.57 AND 58 OF 2021
AND 37 AND 38 OF 2022
AND CMP NOS.4148 AND 4149 OF 2022

12.01.2024