



Arb.O.P (Com.Div.) No. 4 of 2021
and Arb.O.P (Com.Div.) No. 645 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2024

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

Arb.O.P (Com.Div.) No. 4 of 2021
and
Arb.O.P (Com.Div.) No. 645 2022

Arb.O.P (Com.Div.) No. 4 of 2021:-

M/s. VASCON Engineers Ltd.
Represented by its Authorized Signatory
Mr. S.Padmanaban
SF No. 555/1, Udayampalayam Road
(Hindustan College Road)
Near Nava India
Coimbatore – 641028, Tamil Nadu.

...Petitioner

-VS-

M/s. PNR Housing Ltd.
Represented by its Managing Director
Mr. Surender Vittal
3rd Floor, Viswa Paradise Apartments
No.23/2, Kalidas Road
Ram Nagar, Coimbatore – 641009.

.... Respondent

PRAYER: Arbitration Original Petition filed under Section 34(2)(b)(ii)
and 2-A of the Arbitration and Conciliation Act, 1996, for the following
relief:-

(a) set aside the findings in relation to delays and interest made under



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- Issue Nos. 4, 6, 7 and 8 of the impugned award dated 13.03.2020 and consequently grant interest to the petitioner as sought for under the said issues by modifying the impugned award under Section 34 of the Act;
- (b) set aside the findings in the impugned award dated 13.03.2020 in relation to counter claims to the extent allowed in Issue Nos. 9, 10 and 11 of the Impugned Award.

For Petitioner : M/s. Rupikaa Srinivasan
for Mr. Aniruth Krishnan

For Respondent : Mr. T.Manivannan
for Mr. S.Thangavel

Arb.O.P (Com.Div.) No. 645 of 2022:-

M/s. PNR Housing Ltd.
Represented by its Managing Director
Mr. Surender Vittal
3rd Floor, Viswa Paradise Apartments
No.23/2, Kalidas Road
Ram Nagar, Coimbatore – 641009.

.... Petitioner

-VS-

M/s. VASCON Engineers Ltd.
Represented by its Authorized Signatory
Mr. S.Padmanaban
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Near Nava India
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...Respondent



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PRAYER: Arbitration Original Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996, for the following relief:-

- (a) that the records and proceedings in respect of impugned amended award dated 13.03.2020 may kindly be called for from the Hon'ble Arbitral Tribunal;
- (b) that after perusal of records and proceedings in respect of impugned amended award dated 13.03.2020 and after examining its legality and validity, set aside the award in part, and award against the respondent and in favour of the petitioner the sum of Rs.6,75,50,098/-;
- (c) for costs;
- (d) for such other and further reliefs as the nature and circumstances of the case may require.

For Petitioner : Mr. T.Manivannan
for Mr. S.Thangavel

For Respondent : M/s. Rupikaa Srinivasan
for Mr. Aniruth Krishnan

COMMON ORDER

Today when these matters were taken up for hearing, the learned counsel appearing on either side in both Original Petitions have



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submitted that these matters had been settled between the parties and also filed a Joint Memo of Compromise entered between the parties on 08.08.2024, which has been taken on record.

2. It is further represented by the learned counsel for the respondent in Arb.O.P (Com.Div.) No. 4 of 2021 the amount as indicated in the Joint Memo of Compromise dated 08.08.2024 had been paid and the learned counsel for the petitioner in Arb.O.P.(Com.Div.) No. 4 of 2021 had also acknowledged the receipt of the payment.

3. Recording the same, no further adjudication is required to be made in both the Original Petitions. Accordingly, the Original Petitions are closed. No costs.

21.08.2024

Index :Yes/No

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K.KUMARESH BABU, J.

Maya

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