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A.Nos.5751 and 5752 of 2023

in

E.P.Nos.2368 and 2369 of 2010

C.SARAVANAN, J.

These applications have been filed to reopen E.P.Nos.2368 and 2369 of 2010 which was closed on 01.12.2010 after the respondents had filed O.P.Nos.812 and 813 of 2010.

2. The applicants had succeeded before the Arbitral Tribunal and thus wanted to enforce the Award dated 20.04.2008 passed by the Arbitral Tribunal in E.P.Nos.2368 and 2369 of 2010.

3. O.P.Nos.812 and 813 of 2010 were allowed on 01.07.2011. These Original Petitions were later set aside by the Hon'ble Division Bench of this Court in O.S.A.No.388 of 2021 and O.S.A.No.43 of 2012 vide its Common Order dated 20.10.2023.

4. Although the applicants are in appeal before the Hon'ble Supreme Court against the order dated 20.10.2023 of the Hon'ble Division Bench of this Court in O.S.A.No.388 of 2011 and O.S.A.No.43 of 2012, reducing



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interest awarded by the Arbitral Tribunal from 18% to 12%, I see no impediment in restoring E.P.No.2368 of 2010 and E.P.No.2369 of 2010 as they were closed on 01.12.2010 in view of the prevailing legal position as it stood in the year 2010 and in view of the numbering of O.P.Nos.812 and 813 of 2010 against the Award dated 20.04.2008. Accordingly, these Applications stand allowed.

5. Therefore, E.P.No.2368 of 2010 and E.P.No.2369 of 2010 are restored to the file of this Court.

6. For filing counter affidavit, list E.P.No.2368 of 2010 and E.P.No.2369 of 2010 on 08.04.2024.

12.03.2024

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