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C.M.A.No.315 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

C.M.A.No.315 of 2024

and

C.M.P.No.3574 of 2024

in

C.M.A.No.315 of 2024

M/s.Southern Cotspinners Coimbatore (P) Ltd.,
Rep. by its Managing Director
S.V.Devarajan

... Appellant

Vs.

1. M/s.The Cotton Corporation of India Ltd.,
Rep. by its General Manager
Registered office at Kapas Bhavan
Plot No.3A, Sector 10, CBD Belapur
Navi Mumbai - 400 021
Branch office at No.1057, Trichy Road,
Coimbatore.
2. S.Shunmugam, Sole Arbitrator
District Judge (Retired)
No.61, 3rd Cross Street, Vadavalli

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Coimbatore - 641 041.

.. Respondents

Civil Miscellaneous Appeal filed under Section 37 of Arbitration and Conciliation Act, 1996 read with 13 of the Commercial Courts Act 2015, praying to set aside the order dated 16.10.2023 passed in A.O.P.No.16 of 2023 on the file of the Commercial Court (District Judge Cadre), Coimbatore.

For Appellant : Mr.K.Mukund Rao
M/s.Eswar, Kumar and Rao (Law Firm)
For Respondents : Mr.Subramanian Vaidyanathan
representing Mr.Anirudh Krishnan for R1

J U D G M E N T

[Judgment of the Court was made by M.SUNDAR, J.,]

Matter mentioned at half past ten.

2. Mr.K.Mukund Rao, learned counsel of M/s.Eswar, Kumar and Rao (Law Firm) on behalf of appellant in the captioned 'Civil Miscellaneous Appeal' [hereinafter 'CMA' for the sake of convenience and clarity] and petitioner in the captioned 'Civil Miscellaneous Petition' [hereinafter 'CMP' for the sake of convenience and clarity] submits that he has instructions from the appellant Company to withdraw the captioned CMA and CMP, saying so, learned counsel has made endorsements in the case file and

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scanned reproduction of the same are as follows:

WEB COPY **Endorsement in C.M.A.No.315 of 2024:**

The appeal may be
dismissed as withdrawn.
For
Counsel for Appellant.
27/3/24

Endorsement in C.M.P.No.3574 of 2024 :

This petition may be
dismissed as withdrawn.
For
Counsel for
Petitioner. 27/3/24
K. HUKUND RAO.
1675/2014.
9600085613.

3. Learned counsel for appellant reiterates the aforementioned



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endorsements.

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4. In the light of the narrative thus far, captioned CMA and captioned CMP are disposed of as closed / withdrawn. Though obvious, we make it clear that we have not expressed any view or opinion on the merits of the matter. There shall be no order as to costs.

(M.S.,J.)

(K.G.T.,J.)

27.03.2024

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

mk

To

1. The Judge,
Commercial Court (District Judge Cadre)
Coimbatore.
2. The Section Officer
V.R. Section
High Court, Madras.

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M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

mk

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27.03.2024