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OSA (CAD) No.39 of 2023
and OSA (CAD) No. SR 18807 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

OSA (CAD) No.39 of 2023
and C.M.P.No.8186 of 2023

and

OSA (CAD) No. SR 18807 of 2024
and C.M.P.No.4010 of 2024

O.S.A. (CAD) No.39 of 2023:

M/s.RPN Engineers _ VRC (JC),
M-60, 9th Street,
Anna Nagar East,
Chennai-600 102.

.. Appellant

Vs

1.The General Manager,
Southern Railway,
Park Town,
Chennai-600 003.

2.The Chief Engineer/CN/North,
rep. by Dy. CE/CN/IIMAS/(POR)
Southern Railway,
Egmore, Chennai-600 008.

.. Respondents



OSA (CAD) No.39 of 2023
and OSA (CAD) No. SR 18807 of 2024

Prayer : Appeal under Section 13 of the Commercial Courts Act, 2015 read with Section 37 of the Arbitration and Conciliation Act, 1996 read with Clause 15 of the Letters Patent to set aside the order dated 9.2.2023 passed by the learned Single Judge in Rev. Application No.1 of 2023 in Application No.216 of 2023 in Application No.5856 of 2022 in Arb. O.P. (Com.Div) No.49 of 2023.

For Appellant : Ms.K.Aparna Devi

For Respondents : Mr.P.T.Ramkumar
Standing Counsel

CMP No.4010 of 2024 and O.S.A. (CAD) No. SR 18807 of 2024

M/s.RPN Engineers _ VRC (JC),
M-60, 9th Street,
Anna Nagar East,
Chennai-600 102.

.. Applicant/
Appellant

Vs

- 1.The General Manager,
Southern Railway,
Park Town,
Chennai-600 003.
- 2.The Chief Engineer/CN/North,
rep. by Dy. CE/CN/IIMAS/(POR)
Southern Railway,
Egmore, Chennai-600 008.

.. Respondents/
Respondents

Prayer in C.M.P.No.4010 of 2024 : Application filed under Order XIV, Rule 8 of the Original Side Rules read with Section 5 of the Limitation Act to condone the delay of 330 days in filing the appeal challenging the



OSA (CAD) No.39 of 2023
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impugned order dated 12.01.2023 passed by the learned Single Judge in Application No.216 of 2023 in Application No.5856 of 2022 in Arb. O.P. (Com.Div) Diary No.82894 of 2022 (numbered as Arb. O.P. (Com.Div) No.49 of 2023.

Prayer in OSA (CAD) No. SR 18807 of 2024 : Appeal under Section 13 of the Commercial Courts Act, 2015 read with Section 37 of the Arbitration and Conciliation Act, 1996 to set aside the order dated 12.01.2023 passed by the learned Single Judge in Application No.216 of 2023 in Application No.5856 of 2022 in Arb. O.P. (Com.Div) Diary No.82894 of 2022 (numbered as Arb. O.P. (Com.Div) No.49 of 2023.

For Applicant/ : Ms.K.Aparna Devi
Appellant

For Respondents/ : Mr.P.T.Ramkumar
Respondents Standing Counsel

COMMON JUDGMENT
(Delivered by the Hon'ble Chief Justice)

After the matters were heard for some time, counsel seeks leave to withdraw OSA (CAD) No.39 of 2023; and C.M.P.No.4010 of 2024 along with OSA (CAD) No.SR 18807 of 2024.

2. OSA (CAD) No.39 of 2023; and C.M.P.No.4010 of 2024 along with OSA (CAD) No.SR 18807 of 2024 are dismissed as withdrawn. There



*OSA (CAD) No.39 of 2023
and OSA (CAD) No. SR 18807 of 2024*

shall be no order as to costs. Consequently, CMP No.8186 of 2023 is closed.

3. We make it clear that we have not made any observation on the merits of Section 34 petition filed by respondents. All rights and contentions are kept open.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ,J.)

24.02.2025

Index : Yes/No
NC : Yes/No
bbr

To:

- 1.The General Manager,
Southern Railway,
Park Town,
Chennai-600 003.
- 2.The Chief Engineer/CN/North,
rep. by Dy. CE/CN/IIMAS/(POR)
Southern Railway,
Egmore, Chennai-600 008.

Copy to:

The Sub Assistant Registrar
Original Side, High Court
Madras.



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THE HON'BLE CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ.J.

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and CMP No.4010 of 2024
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24.02.2025