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Arb. Appeal No.25 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2025

CORAM

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

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Arb. Appeal No.25 of 2025
and C.M.P.No.12342 of 2025

C.Velusamy

.. Appellant

-VS-

K.Indhera

.. Respondent

Prayer: Appeal filed under Section 13(1-A) of Commercial Courts Act, 2015 read with Section 37 of the Arbitration and Conciliation Act, 1996 against the order dated 14.02.2025 passed in AOP.No.15 of 2024 on the file of District Commercial Judge, Coimbatore.

For Appellant : Mr.Pranav V.Shankar

For Respondent : Mr.Vijayan
for M/s.HSR Advocates, Legal Consultants

* * * * *



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JUDGMENT

(Judgment of the Court was delivered by the Hon'ble Chief Justice)

This appeal impugns an order dated 14.02.2025 passed by Commercial Court Judge, Coimbatore, on a petition filed by respondent under Section 34 of the Arbitration and Conciliation Act, 1996. One of the grounds raised is that the impugned order is an unreasoned order.

2. Sri.Pranav Shankar submitted that before the impugned order came to be passed, appellant had filed an application under Section 29-A of the Act, which came to be rejected by an order dated 24.01.2025. Against the said order, a Special Leave Petition had been preferred being SLP No.6551 of 2025. Sri.Pranav Shankar submitted that notice has been issued on 17.03.2025 and if he succeeds in the SLP, then the award could be held to be valid. Mr.Pranav Shankar submitted that if it meets the approval of the Court, he will withdraw this appeal, with liberty to file a fresh appeal, in case he succeeds in the SLP.



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3. Sri.Vijayan, in fairness, stated that he has no objection if the liberty is granted, but all the rights and contentions of respondent could be kept open.

4. Keeping open the rights and contentions of respondent, appeal is dismissed as withdrawn, with liberty as prayed for. It goes without saying that in view of the liberty being granted by us, in case appellant approaches this Court by way of an appeal, the time spent/lost shall be excluded while calculating the period of limitation.

There shall be no order as to costs. Consequently, the interim application stands closed.

(K.R.SHRIRAM, CJ.)

(SUNDER MOHAN, J.)

03.06.2025

Index : Yes/No
Neutral Citation : Yes/No

sra



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Arb. Appeal No.25 of 2025

The Hon'ble Chief Justice
and
Sunder Mohan, J.

(sra)

To

1. The Commercial Court Judge,
Coimbatore.
2. The Sub-Assistant Registrar,
Original Side Section,
Madras High Court, Chennai.

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