



O.A.No.333 of 2025 etc

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O.A.No.333 of 2025
and
Arb.Appln.No.529 of 2025

ABDUL QUDDHOSE, J.

M/s.HDB Financial Services Ltd.,
Chennai.

.. Applicant

Vs.

1.R.Soundari
2.D.Ragupathi

.. Respondents

These applications have been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (in short “the Act”), post the passing of the arbitral award in favour of the applicant.

2. Admittedly, the arbitral award passed in favour of the applicant has attained finality. Instead of proceeding for execution by filing an execution petition, the applicant has approached this Court seeking for interim protection under Section 9 of the Act. A similar relief as sought for in these applications can very well be sought for by the applicant before the executing court as and when the execution petition is filed by the applicant.



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3. In a reasoned order passed by this Court on 04.06.2025 in

O.A.No.349 of 2025 etc. (batch), this Court had taken a view by following a decision of the Division Bench of this Court in *M/s.Gopuram Enterprises Ltd., Vs. M/s.Intergral Finance Company Ltd. (O.S.A.No.53 of 2021, dated 15.02.2021)* that once an arbitral award has attained finality, the question of entertaining applications under Section 9 of the Act, post the passing of the arbitral award, does not arise, and those applications are not maintainable.

4. In view of the same, these applications have also got to be dismissed as they are not maintainable, since the arbitral award has already attained finality. Instead of proceeding for execution of the arbitral award by filing an execution petition, the applicant has chosen to file these applications under Section 9 of the Act, which are not maintainable as held by this Court in O.A.No.349 of 2025, etc. (batch), dated 04.06.2025. Accordingly, these applications are dismissed.

12.06.2025

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