



WEB COPY

OSA(CAD) No. 85 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2025

CORAM

THE HONOURABLE MR.MANINDRA MOHAN SHRIVASTAVA, CHIEF JUSTICE  
AND  
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

OSA(CAD) No. 85 of 2025  
AND  
CMP Nos.19384 & 19387 of 2025

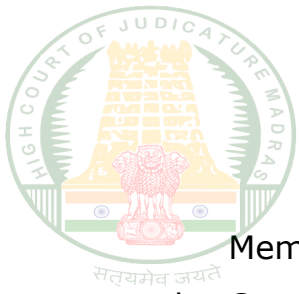
1. Pallear Nithin  
S/o. P.Suresh

Appellant(s)

Vs

1. L.S.Property Developers Private  
Limited  
Rep by its Managing Director,  
P.Surlinarayanaswamy,  
23/11 Bash Street, Choolaimedu,  
Chennai - 600 094.
- 2.Lakshmi Royal Home Constructions  
Rep. by its Managing Partner  
Suresh,  
No.23/11 Bash Street,  
Choolaimedu, Chennai - 600 094  
and G10 and G11, Bhanu  
Enclaves, ESI Erragadda,  
Hyderabad - 500 038.
- 3.Lakshmi Constructions  
Rep. by its Managing Partner,  
D.V.Sudhakar,  
G-10 and G11, Bhanu Enclave,  
ESI Erragadda,  
Hyderabad - 500 038.

Respondent(s)



Memorandum of Grounds of Original Side 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 fair and decretal order dated 10.09.2024 in Arb.Appn. 476 of 2024.

For Appellant(s): Mr.M.Keerthikiran

ORDER

(Order of the Court was made by The Chief Justice)

Heard the learned counsel for appellant. Taking into consideration of the cause shown, we are inclined to condone the delay of 189 days in filing the appeal. The delay is, accordingly, condoned. C.M.P.No.19384 of 2025 is allowed.

2. We find that in the order passed by the learned single Judge in an application under Section 9 of the Arbitration and Conciliation Act, directions were issued to the respondents therein. It appears that one of the parties to the case, has issued letter to the present appellant. According to the appellant, on the date when the proceedings were instituted, he was no longer the partner in the firm and therefore, no liability can be fastened towards compliance of the Court order on him.

3. We are of the view that such a prayer can be made by the appellant by moving application seeking for clarification of the order passed by the learned single Judge. With the liberty to move appropriate



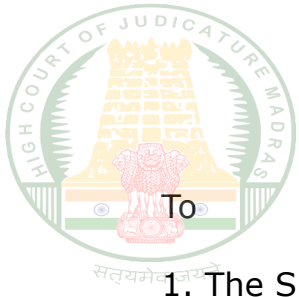
application seeking clarification of the order, the appeal is disposed of.  
Consequently, C.M.P.No.19387 of 2025 is closed.

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(MANINDRA MOHAN SHRIVASTAVA, C.J.) (SUNDER MOHAN J.)  
06-08-2025

Index:Yes/No  
Speaking/Non-speaking order  
Internet:Yes  
Neutral Citation:Yes/No

SS



OSA(CAD) No. 85 of 2025



To

1. The Sub Assistant Registrar (O.S.)  
High Court, Madras

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THE HON'BLE CHIEF JUSTICE  
AND  
SUNDER MOHAN J.

SS

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