



WEB COPY



A NO. 2896 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

A NO. 2896 of 2024

in arb.O.P.(Com.Div.)Dr.No.131188 of 2023

V Rajendran

8/84, Vanniyar street, Avanashi, Tiruppur Tamilnadu

Applicant(s)

Vs

Cholamandalam Investment And Finance Company
Limited

(Formerly known as Cholamandalam DBS Finance
Ltd.,) Dare House No.2, N.S.C Bose Road, Parrys,
Chennai-600 001. branch office at D.No.16-1, 2nd
Floor, S and S Arcade, Axis Bank Upstairs, Uthukuli
Main Road, Tirupur-641 607.

Respondent(s)

For Applicant(s):

M/s.R.N.Amarnath
C.Thirumaran
A.Maheshnath
B.Arun Kumar
P.Rubin
9381028070

For Respondent(s):

Mr.D.Pradeep Kumar
for respondent vakalat d.no.35327/2024
9884863343



ORDER

This application has been filed seeking to waive the condition imposed by an order dated 31.01.2024 and consequently direct the Registry to number Arb.O.P.(Com.Div.)Dr.No.131196 of 2023.

2. Heard the learned counsel for the parties. It is seen that Arbitration Original Petition is yet to be numbered and the Registry has raised the issue on maintainability on the ground of delay.

3. When the matters were listed before this Court for maintainability, this Court by order dated 31.01.2024 directed the petitioner to deposit a sum of Rs.5,00,000/-(Rupees Five Lakhs only) as a precondition to number the application filed under Section 34 of the Arbitration and Conciliation Act, 1996. The said order has become final and has not been challenged by the petitioner before the Division Bench. No application has also been filed for reviewing the order. Now, it is not open to the petitioner to seek waiver of the condition imposed by an order dated 31.01.2024, which was passed almost one year back.



4. Therefore, there is no merit in the application. The application is dismissed.

5. Registry is directed to secure the original arbitral records till further steps that may be taken by the parties.

20-01-2025

To

1. Cholamandalam Investment And Finance Company Limited
(Formerly known as Cholamandalam DBS Finance Ltd.,) Dare House No.2,
N.S.C Bose Road, Parrys, Chennai-600001.

branch office at

D.No.16-1, 2nd Floor, S and S Arcade, Axis Bank Upstairs, Uthukuli Main
Road, Tirupur-641 607.



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P.B.BALAJI,J.,

SI

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