



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb O.P(COM.DIV.) No. 607 of 2022

1. Mr.Venkataramaiah
S/o Late Shri
M.R.Ramachandraiah, 24/4,1471,
Military Colony, Nellore, Andhra
Pradesh-524 004.

Applicant(s)

Vs

1. M/s. G.A. Pai and Company,
Through its Sole Proprietor,
Shri.Manoj Arouza,
S/o Late Shri Gracious Arouza Pai,
Registered Office at Arouza
Building, Hampankatta,
Mangalore-575001.

Respondent(s)

PRAYER

Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 praying to set aside the Arbitral Award dated 31.05.2022 passed by the Learned Sole Arbitrator in the disputes arising out of the Agreement dated 16.08.1997 and pass orders.

For Applicant(s): M/s K. HARISHANKAR
For M/s. S.R.Varun Karthik,



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Respondent(s):

ORDER

This petition has been filed under Section 34 of the Arbitration and Conciliation Act, 1996 challenging the award passed by the Sole Arbitrator dated 31.05.2022 arising out of an agreement dated 16.08.1997.

2. When the petition came up for hearing on 17.12.2025, this Court after hearing both sides, passed the following order:-

After hearing both sides, this Court took into consideration the fact that this dispute has been pending from the year 1999 onwards since the work was admittedly completed on 31.03.1999. This Court also took into consideration the fact that two individuals are involved in the dispute. Hence, this Court suggested that the matter can be resolved amicably. The learned counsel for the petitioner seeks for some time to take instructions in this case. 2. Post this case under the caption for “passing further orders” on 08.01.2026

3. The matter was again listed for hearing on 08.01.2026 and the following order came to be passed by this Court.

Learned counsel for petitioner, on instructions, submitted that the suggestion put forth by this Court is agreeable to her client and her



client is willing to pay a sum of Rs.25,00,000/- [Rupees Twenty Five Lakhs only] towards full and final settlement.

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2. Learned counsel for respondent submitted that some more time is required to persuade his client. Post this petition finally on 28.01.2026 under the same caption.

4. The matter was once again taken up for hearing on 28.01.2026 and in the presence of the respondent, this Court directed the learned counsel appearing on either side to make their submissions on merits. After hearing both sides, this Court passed the following order in the presence of the respondent on 28.01.2026:-

This Court heard learned counsel appearing on either side at length and also prima facie expressed its mind. However, before passing any final orders, this Court thought it fit to give one more opportunity to the respondent to re-consider the earlier offer made to amicably resolve the dispute between the parties.

2. Mr.Mark Jonathan Fernandes, who is the Power of Attorney Agent representing the respondent, was present in Court.

3. This Court once again explained the Power of Attorney Agent that instead of prolonging the case, even now it is



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not too late to accept the offer and resolve the dispute amicably. On such advice given by this Court, the Power of Attorney Agent sought some time. The matter was once again taken up for hearing at 12.30 p.m. At that point of time, on re-consideration, whatever proposal was put forth by this Court on 08.01.2026 was agreed by the Power of Attorney Agent, who was present before the Court.

4. In view of the above, a Demand Draft for a sum of Rs.25,00,000/- [Rupees Twenty Five Lakhs only] shall be taken in the name of the Power of Attorney Agent and the same will be handed over to him in the open Court. Post this petition under the caption 'for recording settlement' on 04.02.2026. The Power of Attorney Agent of the respondent shall be present before the Court at the time of hearing.

5. When the matter was taken up for hearing today, the learned counsel for the petitioner produced the demand draft for a sum of Rs.25,00,000/- taken in the name of Mr.Mark Jonathan Fernandes drawn at Axis Bank Limited bearing DD No.039925 dated 30.01.2026. This demand draft was also handed over to the respondent, who was present before the Court.



6. In the light of the above development, this Court can dispose of this petition by recording the settlement between the parties and it is made clear that the respondent does not have any further claim against the petitioner. Accordingly, this petition is disposed of. No costs.

7. In view of the above, there shall be a direction to the Registry to refund the Court fees to the petitioner.

04-02-2026

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

To
1.M/s. G.A. Pai and Company,
Through its Sole Proprietor, shir
Manoj Arouza,
S/o Late Shri Gracious Arouza Pai,



Registered Office at Arouza
Building, Hampankatta,
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Arb O.P(COM.DIV.) No. 607 of
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Arb O.P(COM.DIV.)
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