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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

OSA (CAD) Nos. 140 and 141 of 2025

and

CMP Nos. 30479 & 30486 of 2025

N. Manoharan

..Appellant in both
OSAs

Vs

1. M. Ashkar Ali

2. Shabana

..Respondents in OSA
No.140 of 2025

1. Shabana

2. M. Ashkar Ali

..Respondents in OSA
No.141 of 2025

These Original Side Appeals filed, under Section 37 of the Arbitration and Conciliation Act, 1996 r/w. AS Rules and Letters Patent, praying to set aside the judgments dated 17.09.2025 in Arbitration OP (Comm.Div) No.247 of 2023 and 339 of 2023.

For Appellant:

Mr.K.Krishnan

For Ms.P.Veena



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COMMON JUDGMENT

(Judgment of the Court was delivered by C.V.Karthikeyan J.)

A memo had been filed by the learned counsel for the appellant which as follows:

“It is submitted that the Appellants/ Claimant filed the above Appeal against the order of the Hon'ble Single judge's order setting aside the Arbitral Award passed by the Sole Arbitrator; and immediately after filing of the above OSA he Respondents/ Borrower came forwarded to repay the amount payable to the Appellant as a one time settlement. The Appellant has received a sum of Rs.23,00,000/- from the Respondents on 08.12.2025. Thus the Appellant and the Respondents have settled their disputes in respect of their claims based on the loan agreements dated 05.04.2018 & 12.04.2018, outside the Court by entering into a Settlement Agreement dated 08.12.2025. The Respondents have also agreed under the above said Settlement Agreement that they will not press for the cost awarded to the Appellant in the Arbitration O.P. (CAD) Nos. 247 & 339 of 2023. Hence there is no need for the Appellant to pursue the above Appeals. Therefore this Hon'ble Court may be pleased to record this memo and permit the Appellant to withdraw both the O.S.A. (CAD) Nos. 140 & 141 of 2025.



It is further submitted that the Court fee paid by the Appellant in the both O.S.A. (CAD) Nos. 140 & 141 of 2025 may be directed to be refunded to the Appellant.

It is therefore prayed that this Hon'ble Court may be pleased to record this memo and permit the Appellant to withdraw both the O.S.A. (CAD) Nos. 140 & 141 of 2025, and pass suitable orders for refund of the Court fee paid in both the O.S.A. (CAD) Nos. 140 & 141 of 2025 in the interest of justice and render justice.

Dated at Chennai on this the 19th day of January 2026.

Sd/-

Counsel for Appellant

2.It is thus seen that the issues raised have been settled. The parties had taken recourse to settle the issues outside the Court. The memo stands recorded. These Original Side Appeals are dismissed as settled out of Court. No costs. Consequently, connected Civil Miscellaneous Petitions are closed. The appellant is entitled for refund of Court fees in accordance with the rules.

(C.V.K.,J.) (K.B.,J.)
30-01-2026

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OSA(CAD) Nos. 140 & 141 of 2



**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

smv

OSA(CAD) Nos. 140 & 141 of 2025

30-01-2026