

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

MONDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND EIGHTEEN

: PRESENT:

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

IA.No. 1 of 2018
IN
COM.C.A. No. 32 of 2018

Between:

HDFC ERGO General Insurance Company Ltd., having its Registered office at Ramon House, HT Parek, Mumbai-400 020, and also having its branch office at 2nd Floor, 6-3-346/1, Banjara Hills, Hyderabad.

Petitioner
(Appellant in COM.C.A.No. 32/2018
on the file of the High Court)

AND

1. LANCO Kondapalli Power Limited, regd. Office at Lanco House, Plot No.4, Hitech City, Madhapur, Hyderabad-500 084.
2. Arbitral Tribunal consisting of
Justice P.Venkataramana Reddy (Retd.)
Justice S.B.Sinha (Retd.)
Justice E.Padmanabhan (Retd.),
(Respondent No.2 not necessary party)

Respondents
(Respondents in do)

COUNSEL FOR PETITIONER: SRI TARUN G. REDDY

COUNSEL FOR THE RESPONDENT NO.1:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to suspend the order dated 30th July, 2018 passed in C.O.P. No. 120 of 2016 (old O.P. No. 2826 of 2014) by the Commercial Court-XXIV Addl. Chief Judge, Commercial Division and Commercial Appellate Division, City Civil Court, Hyderabad, and the award dated 31st August, 2014 passed by the majority of the Arbitral Tribunal comprising of Justice (Retd.) Sri P.Venkatarama Reddi (Presiding Arbitrator) and Justice Sri (Retd.) E.Padmanabham, pending disposal of COM. C.A. No. 32 of 2018 on the file of the High Court.

The Court while directing issue of notice to the Respondents herein to show cause why this petition should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

“We are of the opinion that the issues raised in this appeal require examination and in the meanwhile, the Award in question necessarily has to be suspended given the fact that there was a difference of opinion amongst the learned Arbitrators themselves.

There shall accordingly be interim suspension as prayed for.”

Sd/- K.JAGAN MOHAN
ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Commercial Court-cum-XXIV Addl. Chief Judge, Commercial Division and Commercial Appellate Division, City Civil Court, Hyderabad.
2. LANCO Kondapalli Power Limited, regd. Office at Lanco House, Plot No.4, Hitech City, Madhapur, Hyderabad-500 084. (BY RPAD)
3. One CC to Sri Tarun G. Reddy, Advocate (OPUC)
4. Two Spare Copies

HIGH COURT

SK,J
&
MGR,J

DATE: 08-10-2018

ORDER

I.A. NO.1 OF 2018
IN
COMCA. NO. 32 OF 2018



INTERIM SUSPENSION