

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 31st DAY OF JANUARY 2017

THE HON'BLE MR. JUSTICE T.S.SIVAGNANAM

O.A.NO.10 OF 2017

AND

A.NO.60 OF 2017

In the matter of the
Arbitration and
Conciliation Act, 1996

And

In the matter of
Arbitration disputes
between M/s. Appollo
Alchobev Ltd. And M/s. MJR
Builders Pvt. Ltd., under
the Joint Development
Agreement dated 21.06.2012.

M/s. APOLLO ALCHOBEV LTD.

A company registered under the
Companies Act, 1956.

Having its registered office at
Empee Tower, 59, Harris Road,
Pudupet,
Chennai 600 002

Represented by its authorized representative
Mr.Jamaal Mohideen

: Applicant

Vs.

M/s.MJR BUILDERS PVT. LTD

Having its registered office at
No.5, 2nd Floor, 12th Main, 17th Cross,
Sector 6, HSR Layout,
Bengaluru 560 102

: Respondent

O.A.NO.10 OF 2017:-

Original Application praying that this Hon'ble Court
be pleased to grant an interim injunction restraining the
respondent, its men, agents, or any one acting through or

under it, from directly or indirectly from in any manner seeking to execute and register sales of apartment/flat units falling within the 'DEVELOPER'S CONSTRUCTED AREA' of the project in the Schedule property (i.e. 57% of the said project and the said property including 57% of the super-built up area in the form of apartment/flat units, 57% of the car parking areas and 57% of the terrace areas) in favour of any purchaser without first executing and registering sale of apartment/flat units falling within the 'OWNERS CONSTRUCTED AREA' in favour of the customers of the Applicant (i.e. 43% of the project and the property including 43% of the super-build up area in the form of apartment/flat units, 43% of the car parking areas and 43% of the terrace areas) in favour of the Applicant's customers who have already paid the requisite consideration, details of whom have been set out in Annexure I, pending disposal of Arbitral Proceedings.

A.NO.60 OF 2017:-

Application praying that this Hon'ble Court be pleased to grant an interim direction directing the Respondent to diligently and effectively market the apartment/flat units falling to the Applicant's share, in the same manner and to same extent that the Respondent would market the apartment/flat units falling to their share and participate in the execution and registration of sales in favour of the Applicant's customers being purchasers of apartment/flat units falling within the 'OWNERS CONSTRUCTED AREA' of the

project in the Schedule property (i.e. 43% of the project and the property including 43% of the super-built up area in the form of apartment/flat units, 43% of the car parking areas and 43% of the terrace units) as and when called upon or required by the Applicant, pending disposal of Arbitral Proceedings.

These Applications coming on this day before this court for hearing the court made the following order:

Mr.Rahul Balaji, learned counsel for the applicant as well as Mr.T.K.Bhaskar, learned counsel for the respondent submits that the parties have entered into settlement and a memorandum of settlement dated 18.01.2017, has been entered into between them, a copy of which has been produced before this Court.

2. Recording the said Memorandum of Settlement and the affidavit filed on behalf of the applicant, this Original Application stands closed. Consequently, A.No.60 of 2017 stands closed.

Sd/.T.S.S.J
31.01.2017

//Certified to be a true copy//
Dated this the day of 2017.

GM/28.03.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.