

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

CIVIL REVISION PETITION No.5302 of 2015

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ORDER:

This revision is preferred by the 1st respondent in arbitration O.P.No.848 of 2014 on the file of II Additional District Judge's Court, Ranga Reddy District. The petitioner appears to have filed an application in the said arbitration O.P., bearing I.A.No.667 of 2015 raising an objection about the maintainability of arbitration O.P.

It is contended that pursuant to the agreement between the parties to the arbitration O.P., an International Arbitral Tribunal has been constituted and it has passed an award on 20.11.2014. Challenging the correctness of the said award, arbitration O.P.No.848 of 2014 is filed.

The first question, which the Court is required to examine is whether the award passed by the International Arbitral Tribunal can be challenged under Section 34 of the Arbitration and Conciliation Act, 1996 or not. It is represented that arguments were concluded in I.A.No.667 of 2015, but the Court is not deciding the said I.A. one way or the other. It is adjourning the matter and now it stands adjourned to 28.12.2015.

The very purpose of providing for dispute resolution through arbitration mechanism will get frustrated if the arbitration proceedings or the proceedings arising thereafter are kept pending for too long. Since the Arbitral Tribunal has already rendered its award more than one year back i.e., on 20.11.2014, it is wholly appropriate that the learned II Additional District Judge, Ranga Reddy District will not further drag on the matter and pass appropriate orders on the I.A.No.667 of 2015 at any rate on or before 28.12.2015.

Registry to communicate a copy of the order immediately to the II Additional District Judge's Court, Ranga Reddy District with a specific request to draw the attention of the Presiding Officer of the said Court immediately to this order.

With the above directions, the civil revision petition stands disposed of.

Consequently, miscellaneous petitions, if any pending shall also stand closed. No costs.

JUSTICE NOOTY RAMAMOHANA RAO

04.12.2015
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