

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15230 of 2016

ORDER:

This Writ Petition is filed as against the award dated 20.02.2016 in Case No.21C/IFC/2015/16648 passed by the first respondent.

Sri C.V.Mohan Reddy, learned Senior Counsel appearing for the petitioner, would submit that the award does not contain any reasons, as envisaged under Section 31 of the Arbitration and Conciliation Act, 1996 (for short 'the Arbitration Act'), as applicable to the proceedings under the Micro, Small and Medium Enterprises Development Act, 2002.

Learned counsel for the second respondent submits that the matter be remanded to the first respondent if the Court is of the opinion that reasons are not recorded while passing impugned award.

Now vacate stay petition is filed to vacate the interim order, and a counter is filed supporting the award passed by the first respondent.

A perusal of the impugned award goes to show that no reasons are recorded as envisaged under Section 31 of the Arbitration Act. Without going into the merits of the case, the impugned award is set aside, and the matter is remanded to the first respondent for passing proper award, in accordance with law, by recording reasons, as envisaged under Section 31 of the Arbitration Act. It is stated by the learned counsel for the petitioner that the petitioner filed counter claims. Needless to mention that the first respondent shall deal with the counter claims in accordance with law while passing the award. The first respondent is directed to complete the entire exercise of passing award within a period of four weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending, if any, shall also stand disposed of. However, in the circumstances, without costs.

A.RAJASHEKER REDDY, J

Date:16.06.2016

Note:CC two days

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