



Original Application Nos.751 to 756 of 2015

Dr.ANITA SUMANTH, J.

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These Original Applications are filed in terms of Section 9 of Arbitration and Conciliation Act, 1996 (in short 'Act'), seeking interim relief by way of ad-interim injunction restraining the respondent from disturbing or interfering with the applicants' possession and enjoyment of the schedule property, pending disposal of the Arbitration Proceedings. The legal heirs of the original applicant have been impleaded by order dated 07.02.2018 to pursue the present applications.

2. It is seen that this Court, on 27.07.2015, after a consideration of the matter, passed an order of interim injunction for a period of three (3) weeks.

3. Though agreements dated 12.11.2003, 23.12.2009 and 25.03.2015 contain a clause providing for resolution of disputes by way of Arbitration, no steps are seen to have been taken by the applicants to initiate the process of arbitration till 09.02.2018.

4. Proceedings for Arbitration by the sole Arbitrator, Mr.Justice.K.Venkataraman, dated 19.03.2018 are circulated to the effect that notice was issued to the respondents, but there has been no appearance on their behalf for the hearing. Fresh steps have been decided to be taken in this regard.



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5. Notice in the present applications has been duly served by way of paper publication and the name of the respondent(s) are printed in the cause list. Though sufficient opportunity was granted, there has been no appearance by or on behalf of the respondent(s).

6. In the aforesaid circumstances and particularly in the light of the fact that proceedings for Arbitration have been initiated, though belatedly, these Applications are closed and the interim relief granted is directed to continue for a period of eight weeks from today.

7. The learned Arbitrator is requested to consider the continuance or otherwise of the same in terms of Section 17 of Act upon appropriate applications being filed in this regard by the applicants, in accordance with law.

27.03.2018

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