

Application No.3366 of 2019**PUSHPA SATHYANARAYANA, J.**

This Application has been filed under Section 29 A of the Arbitration and Conciliation Act seeking extension of time for the completion of the arbitration proceedings in Arbitration Case No.30/2016 on the file of the second respondent.

2. It is stated by the learned counsel for the first respondent that already this Court on 04.10.2018 in Application No.7106 of 2018 has extended the period of arbitration by six months time from the date of receipt of a copy of the order, which was over by 08.05.2019. It is further stated that the date for the arguments of the applicant was fixed on 15.04.2019 but on which date an E-mail has been sent by the applicant herein stating that they have to produce the additional documents and that they will require further time. Now, this application for extension of time is filed, which if granted would cause heavy loss to the first respondent.

3. The learned counsel for the applicant vehemently objected the prayer of the applicant pointing out that Section 29 A Clause 5 provides for extension of period referred to under the sub-section 4 only on the application of any of the parties and it may be granted only for

sufficient cause and on such terms and conditions that may be imposed by the Court. It is further stated that the applicant in advance has circulated the E-mail seeking for adjournment, after which this application was filed. It is further stated that it is only the claim of the applicant and there is no counter claim made by first respondent. Therefore, there is no reason for the applicant to protract their own case without any sufficient reasons.

4. It is also stated that the first respondent is put to heavy loss as they are bearing the additional expenses due to the conduct of the claimant as the claimant has been unnecessarily protracting the proceedings.

5. Considering the fact that the arbitration proceedings has come to an fag end, in the interest of justice this application is allowed and the time for completion of arbitration proceedings could be extended by six months. As the claimant is unnecessarily protracting the proceedings which would cause serious prejudice to the first respondent, the application for extension of time is allowed on payment of costs of Rs.10,000/-(Rupees Ten Thousand only) to the first respondent and the said amount has to be payable within a period of two weeks from the date of receipt of a copy of this order. It is made clear that the applicant is

not entitled for any further extension.

27.09.2019

arr



WEB COPY

PUSHPA SATHYANARAYANA, J.

arr



Application No.3366 of 2019

WEB COPY

27.09.2019