

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 21ST DAY OF NOVEMBER 2019

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A. No.7691 of 2019

in

O.P.Diary No.82580 of 2019

In the matter of Arbitration
and Conciliation Act, 1996

and

In the matter of disputes
between M/s.Shriram City
Union Finance Limited

and

Mrs.Arokia Mary Stella B,
Mrs.Shelaw Parthiban and
Mr.Parthiban R, In respect of
Trade Finance Agreement
No.ARUMKTF1707190001 dated
19.07.2017

1. Mrs.AROCKIA MARY STELLA B,
W/o.Mr.Amal Raj.J
No.7, Nethaji Street,
Kamaraj Nagar, Avadi,
Chennai - 600 071

2. Mrs.Shelaw Parthiban,
W/o.Mr.Parthiban,
No.57, Ganbathi Koil Street,
Nehru Nagar,
Kamaraj Nagar, Chennai-600 071. ..Applicant/Petitioners

-VS-

M/S. SHRIRAM CITY UNION FINANCE LTD.,
REPRESENTED BY ITS AUTHORISED REPRESENTATIVE
Having their office at NO.123,
Angappan Naicken Street,
Chennai-600 001
and its inter alia branch,
sorrento Building, 1st Floor,
No.6, L.B.Road, Adyar,
Chennai 20

..Respondent/Respondent

A.No.7691 of 2019:

Application praying that this Hon'ble Court be pleased to condone the delay of 26 days in filing the above said Arbitration Original Petition.

This Application coming on this day before this court for hearing, the court made the following order:

This application is filed to condone the delay of 26 days in filing the petition to set aside the arbitral Award.

2. I heard the learned counsel for the applicant and the learned counsel for the respondent.

3. The learned counsel for the applicant submitted that the arbitral Award was received by Post on 10.03.2019 and that the applicant was shocked and surprised to receive the Award and the applicant was unaware about the arbitral proceedings. He further submitted that the applicant was under a lot of pressure from the collection agent of the respondent and that, therefore, the petition could not be filed on or before 06.06.2019 as required by Section 34(3) of the Arbitration Act.

4. The learned counsel for the respondent submitted that the applicant has not made out sufficient cause to condone the delay.

5. Upon considering the submissions made by the learned counsel and on examining the affidavit filed in support of the application, I am of the view that

sufficient cause has been made out by the applicant to condone the delay of 26 days in filing the petition.

6. Accordingly, this petition is allowed and the Registry is directed to number the above un-numbered O.P. if it is otherwise in order.

Sd/.S.K.R.J.

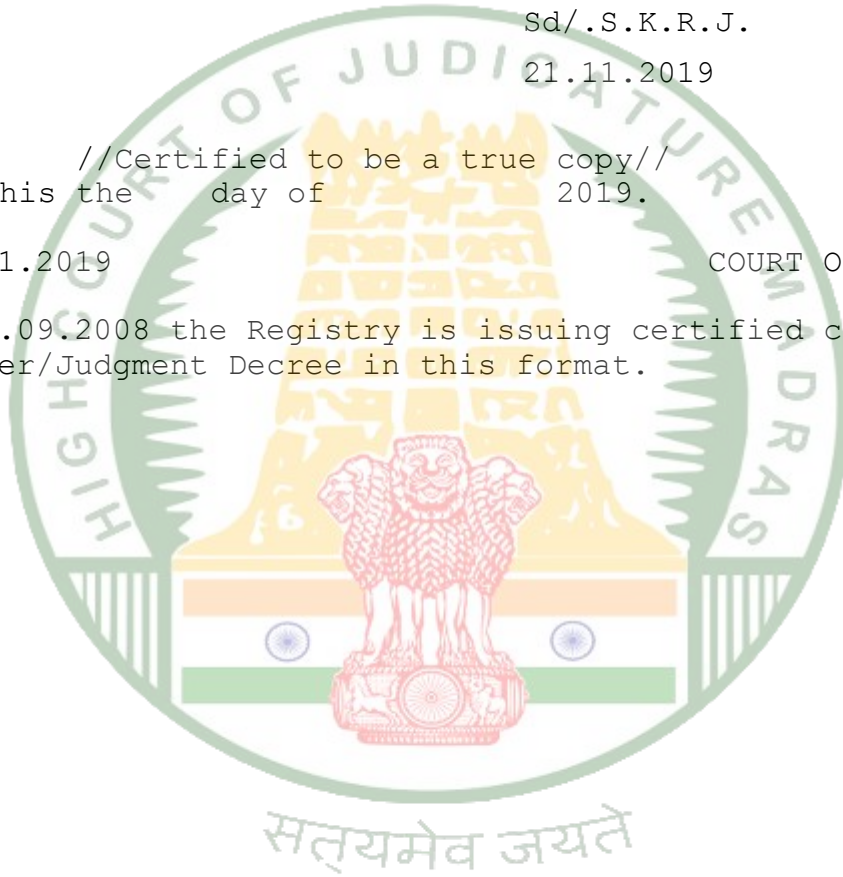
21.11.2019

//Certified to be a true copy//
Dated this the day of 2019.

SU/27.11.2019

COURT OFFICER

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



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