

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.8190 of 2019

in

O.P.Diary No.89348 of 2019

In the matter of Section 34
Arbitration and Conciliation
Act, 1996

and

In the matter of dispute
between M/s.SB Adithya Power
Projects Pvt.Ltd. Chennai and
M/s.Siemens Gamesa Renewable
Private Limited (Previously
known as Gamesa Renewable
Private Ltd.) and before that
known as Gamesa Wind Turbines
Ltd.

And

In the matter of the Award
dated 19th day of April, 2019
passed by the Hon'ble
Arbitral Tribunal in the
arbitration proceedings
between the Petitioner and
respondent.

M/S.SB ADITHYA POWER PROJECTS PVT LTD.,
REP.BY ITS DIRECTOR MR.SHEIK BAREED
NO.3, 1ST FLOOR, VEDAMMAL AVENUE,
DR.SUBBARAYAN NAGAR, KODAMBAKKAM,
CHENNAI- 600 024 ..Applicant / Petitioner

-vs-

M/S. SIEMENS GAMESA RENEWABLE PVT LTD.,
PREVIOUSLY KNOW AS GAMESA RENEWABLE PVT LTD
AND BEFORE THAT KNOWN AS GAMESA WIND TURBINES LTD)
REP.BY ITS MANAGING DIRECTOR,
FUTURA B-BLOCK, 8TH FLOOR, NO.334,
OLD MAHABALIPURAM SALAI, SHOLINGANALLUR,
CHENNAI-600 119 ..Respondent/Respondent

A.No.8190 of 2019:

<https://hcservices.ecourts.gov.in/hcsservices/>

Application praying that this Hon'ble Court be pleased
to condone the delay of 14 days in filing the of the above

Original Petition Diary No.89348/2019

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 14 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 petition was filed within the prescribed three month period on 16.07.2019. But the applicant had not enclosed the original signed copy of the Award. Consequently, a delay occurred in re-presenting the petition with the signed copy of the Award.

4. The learned counsel for the respondent submitted that the presentation of the petition without the signed copy of the Award was not in order and that, therefore, the petitioner has not made out sufficient cause.

5. On examining the affidavit filed in support of the petition and upon considering the submissions of the learned counsel for the applicant, I am of the view that sufficient cause has been made out by the applicant to condone the delay of 14 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.