

C.M.P. No.13888 of 2017 in
C.M.A. No.SR63576 of 2017

T.RAJA,J.

M/s.National Company, represented by its Managing Partner, Chennai, has come to this Court with the petition for condonation of delay of 18 days in filing the above appeal against the order dated 24.04.2017 passed by the learned Arbitrator in Application No.1 of 2017 in and by which the learned Arbitrator in paragraph 8(f) has made it clear that the Tribunal is of the view that the request of the petitioner appellant that they should be deleted from the present Arbitral Proceedings at the inception of the proceedings cannot be accepted because at the end of the Trial, the said plea could be decided after the pleadings are filed by all the parties and again looking at the claim of the petitioner appellant from yet another angle, the learned Arbitrator has come to the conclusion that the learned Division Bench felt that the petitioner appellant can raise the plea whether they should be deleted or not before the Arbitrator.

2.I have heard Ms.R.Maheswari, learned counsel appearing for the petitioner, Mr.M.K.Kabir, learned Senior Counsel representing for Ms.Vijayalakshmi, counsel appearing for the first respondent and

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Mr.A.Edwin Prabakar, learned counsel appearing for the second respondent.

3.As the issue raised in the impugned order deserves to be clarified, learned counsels appearing for respondents 1 and 2 have no serious objection for condoning the delay. Accordingly, the petition is allowed and the delay is condoned.

vga

23.07.2019
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