

A.No.531 of 2020
in
O.P.No.558 of 2016

M.SUNDAR.J.,

Mr.T.Saikrishnan, learned counsel for applicant and Mr.V.Ramakrishnan, learned counsel for respondent are before this Court.

2. It is submitted by learned counsel on both sides that instant application is one for extension of time for Arbitral Tribunal to make the award as the statutorily prescribed 12 months and extended time frame as extended by this Court vide order dated 03.10.2018 in A.No.5325 of 2018 have elapsed necessitating instant application.

3. Instant application has been filed on 05.02.2020. Sub-section (1) of Section 29-A of A and C Act was amended vide Act 33 of 2019 on or from 30.08.2019. Post amendment, the reckoning date for computing the statutorily prescribed 12 months is the date of completion of pleadings. To be noted, prior to 30.08.2019 reckoning date was date on which Arbitral Tribunal enters upon the reference.

4. It is submitted by both sides that the reasons for the award not being made within the stipulated time, are articulated in the affidavit filed

in support of instant application. A perusal of the contents of the affidavit filed in support of instant application leaves this Court with the considered view that sufficient cause has been made out for extension of time for making the arbitral award.

5. Though obvious, it is made clear that instant application is under various sub-sections of Section 29-A of A and C Act. In the light of consensus between the parties, it is not necessary to dilate on facts and in the light of the trajectory the hearing has taken today, no serious discussion on legal aspects of the matter is necessary. As already alluded to supra, suffice to reiterate (as mentioned supra) that contents of the affidavit filed in support of instant application leaves this Court with the considered view that the parties before this Court have shown sufficient cause for extension of time for Arbitral Tribunal for making the award.

This application is ordered by extending the time till 31.12.2020 for the Hon'ble Arbitral Tribunal to make the award.

07.02.2020

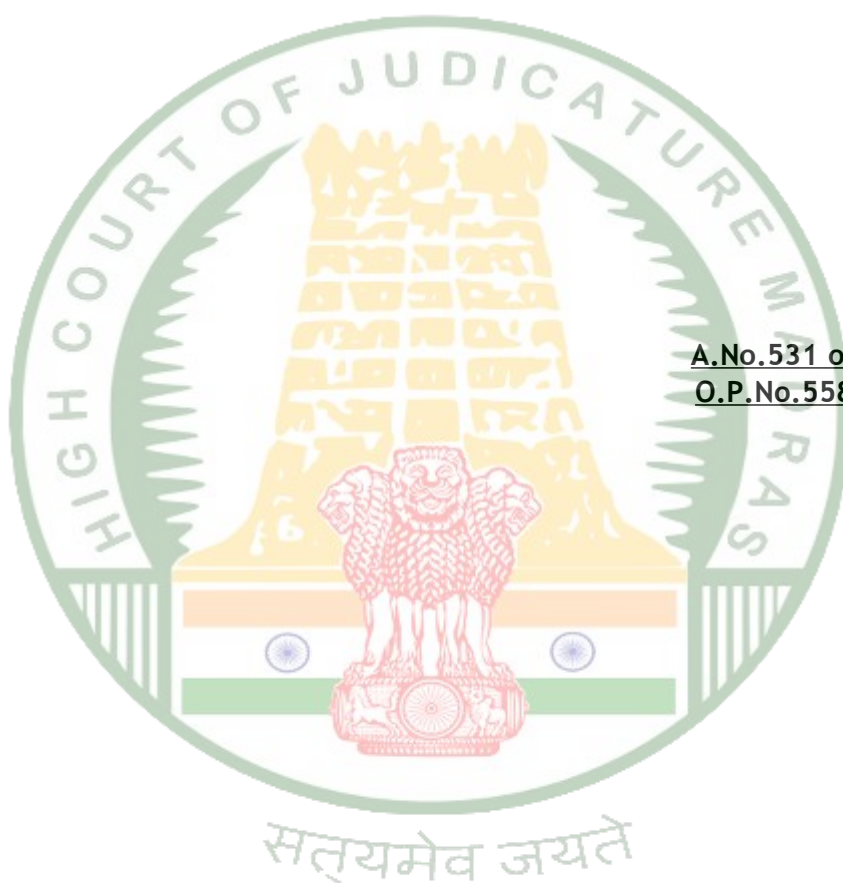
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Note: Issue order copy on 07.02.2020

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