

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Appln No.2628 of 2019 and
O.P.No.250 of 2013

Sri Manav Construction and
Developers Private Limited,
rep. by its Managing Director Mr.Manish Agrawal,
s/o Mr.Srinivasji Agrawal, Nos.19 and 20,
General Muthiah Mudali Street,
Sowcarpet, Chennai 600 079. ... Applicant

Vs.

M/s Land Marvel Projects India Pvt. Ltd.,
rep by its Director, No.45-47, 3rd floor,
First Main Road, Gandhi Nagar, Adyar,
Chennai 600 020. ... Respondent

Prayer: Application filed to extend the period of Arbitral proceedings,
before the sole Arbitrator Mr.Justice S.Rajeswaran in the dispute,
pertaining to the O.P.No.250 of 2013 for a further period of six months.

For Applicant : Mr.P.Raja

For Respondent : Mr.Inthu Karunakaran

ORDER

This application has been filed for extension of time of the arbitral proceedings.

2. The learned counsel appearing for the applicant submitted that the issue between the parties could not be resolved in the Mediation, Hence this application.

3. The learned counsel appearing for the respondent submitted that the order of this court dated 18.03.2016 makes it clear that the Mediator has to resolve the dispute, within a period of two months or any extended date, as may be granted by this court. He further submitted that, though the parties have appeared before the Mediation Centre, dispute was not resolved. However, no application was filed by the applicant for extension of time to resolve the matter before Mediation and that the delay has been occurred only due to the mistake committed by the applicant.

4. Arbitrator has already been appointed by this court vide order dated 18.03.2016. In that order, though the parties are directed to resolve the dispute before the Mediator, within a limited period, they have not filed any application before this court to extend the period for amicable settlement before the Mediator. It is seen from the records

that the parties have appeared before the mediation from 15.04.2016 to 23.11.2016 and thereafter mediation has not effected. However, for extension of time, both the parties have not approached this court.

5. Having regard to the nature of the dispute between the parties and as the Arbitrator has already been appointed by this court, one more chance may be given to the parties to go before the Arbitrator to resolve their dispute.

6. Accordingly, this application is allowed and a further period of six months time is granted from the date of receipt of a copy of this order, to resolve the matter before the Arbitrator.

07.09.2020

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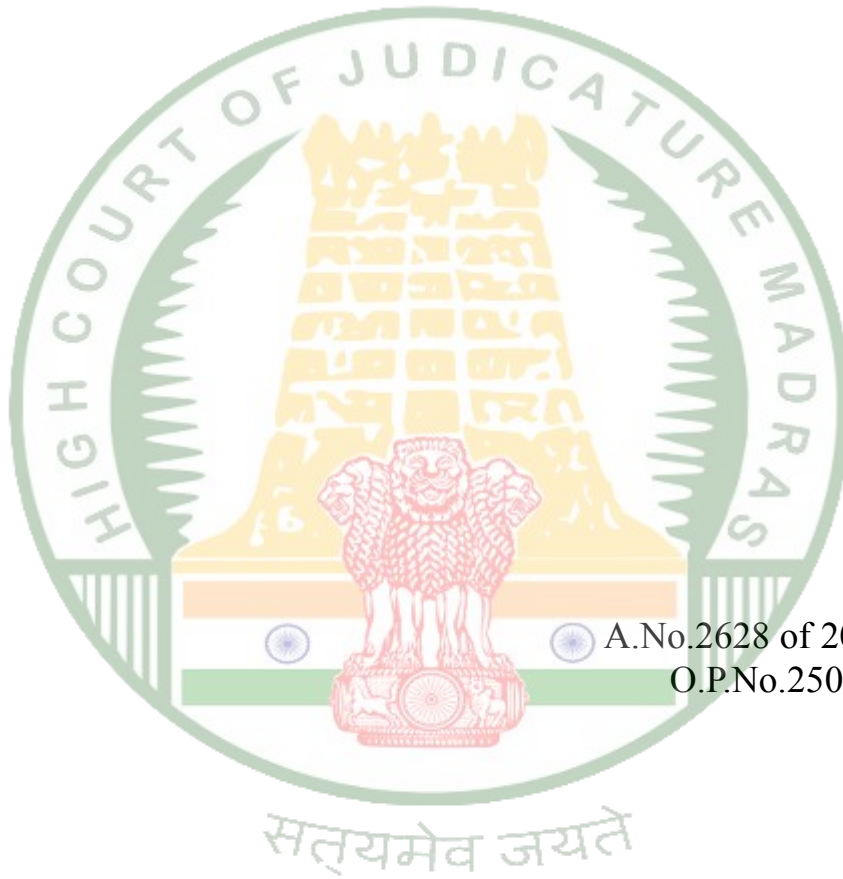
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*A.No.2628 of 2019 and
O.P.No.250 of 2013*

N.SATHISH KUMAR, J.

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