

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.07.2020

Coram:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.1469 of 2020

TAQA NEYVELI POWER COMPANY PRIVATE LIMITED
(formerly known as ST-CMS Electric Company Private Ltd.)

Presently at

79, Kasthuri Avenue, MRC Nagar,
R.A.Puram, Chennai 600028.

Formerly at:

4-D, Century Plaza
560-562, Mount Road,
Chennai

Rep. by its Company Secretary
K.Raghunathan

.. Applicant

Vs.

NLC INDIA LIMITED,

Presently at:

First Floor, No.8, Mayor Sathiyamurthy Road,
FSD, Egmore Complex of Food Corporation of India,
Chetpet, Chennai 600031.

Formerly at:

135, EVR Road,
Kilpauk, Chennai 600010
M/s. Amfah Infrastructure (P) Ltd.,

Represented by its

Chairman-cum-Managing Director

.. Respondent

PRAYER: Application has been filed under Order XIV Rule 8 of the O.S. Rules r/w Section 29-A of the Arbitration Conciliation Act, 1996, to allow the present application and extend the time for making of the arbitral Award until 09.07.2021.

For Applicant : Mr. Thriyambak J. Kannan

For Respondent : Mr. Arjun Suresh

ORDER

This application has been filed to extend the mandate of arbitration for a period of one year.

2. Heard the learned counsel appearing for the applicant and the learned counsel appearing for the respondent through video conferencing.

3. It is the contention of the learned counsel for the applicant that since the counsel appearing for the claimant is outside the state and one of the arbitrators is also from outside state, further period of one year is required for completion of the arbitration proceedings.

4. The learned counsel appearing for the respondent submitted that all the hearings in the arbitration proceedings is over and is pending for arguments and hence, one year is too long and infact the arbitrator is also prepared to hear through video conferencing and hence, maximum period could be granted is upto 6 months.

5. Having regard to the above submissions and the evidence is over and the matter is pending only for hearing arguments and passing of the award, this Court is of the view that extension of a period of one year sought in the application is too long. Even taking note of the pandemic situation, it is open for applicant and the respondent to advance their arguments in virtual hearing and also submit their written submissions through email.

6. In such view of the matter, a further period of 6 (six) months time is extended and this application is Ordered accordingly.

09.07.2020

vrc

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N.SATHISH KUMAR, J.

ggs/vrc



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