

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.1660 of 2020

1. Mr.A.Mohamed Rafique
S/o.Mr.A.Abdul Rahim,
Partner,
M/s.Raku Ice and Cold Store,
No.7/135, Mohamed Sadalipuram,
Thoothukudi – 628 002.

2. Mr.A. Mohamed Abubacker,
S/o.Mr.Abdul Rahim,
Partner,
M/s.Raku Ice and Cold Store,
No.7/135, Mohamed Sadalipuram,
Thoothukudi – 628 002.

Applicants

versus

1. Mr.Uthayakumar, S/o.S.Chelliah,
Partner,
M/s.Raku Ice and Cold Store,
No.396/32, Sahayapuram, Lions Town,
Thoothukudi – 628 001.

2. Mr.C.Thadeyu Johnson, S/o.S.Chelliah,
Partner,
M/s.Raku Ice and Cold Store,
No.396/32, Sahayapuram, Lions Town,
Thoothukudi – 628 001.

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respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 29-A (4) of the Arbitration and Conciliation Act, 1996, to extend the mandate of the sole Arbitrator Mr.Vivek Girish Menon, advocate from 1.05.2020 to 31.01.2021 in O.P.No.962 of 217 on the file of this Court.

For Applicants : Mr.Rathina Asohan

For respondents : Mr.G.Ponmbala Thiagarajan

ORDER

This application has been filed to extend the mandate of arbitrator.

2. It is the contention of the learned counsel for the applicants that one more witness has to be examined on the side of the claimants and two more witnesses have to be examined on the side of the respondents. Due to lock down they are unable to continue the proceedings. The mandate of the learned arbitrator expired on 30.04.2020. Hence, seeks to extend the mandate of the arbitrator for a further period of 6 months.

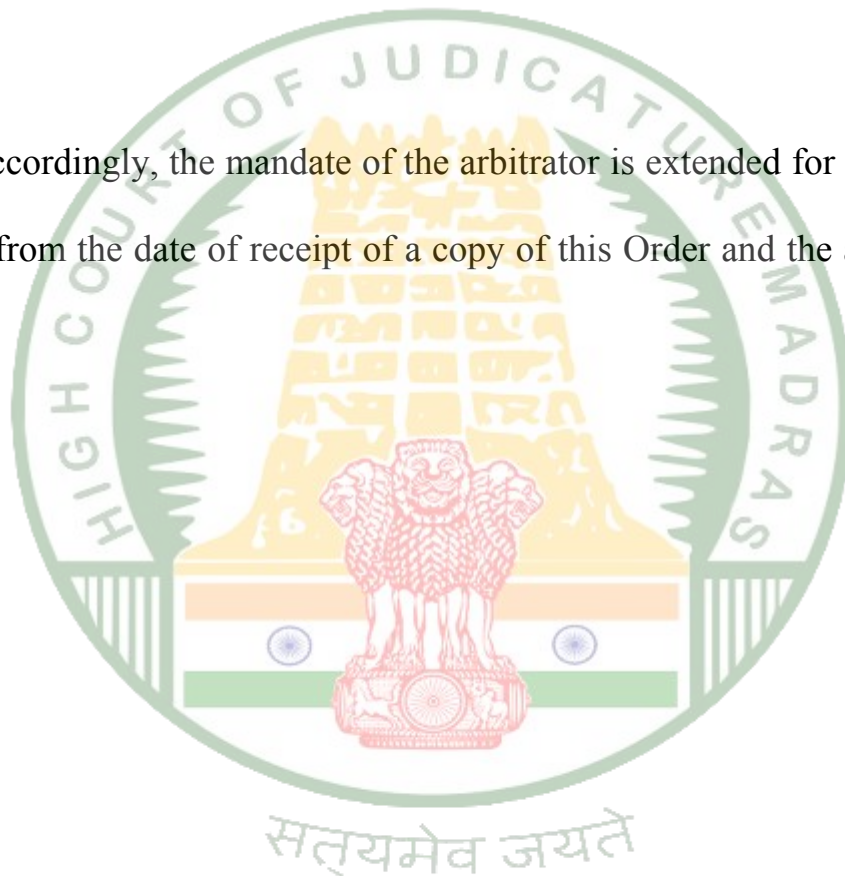
3. The learned counsel for the respondents submitted that the mandate of the arbitrator may be extended for a period two months instead of six months as sought by the applicants.

3. Having regard to the nature of the proceedings and that remaining three witnesses have to be examined on either side, this Court is of the view that one more chance has to be given to the arbitrator to complete the proceedings.

4. Accordingly, the mandate of the arbitrator is extended for a period of six months from the date of receipt of a copy of this Order and the application is Ordered.

03.09.2020

vrc



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N.SATHISH KUMAR, J.

vrc



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in

O.P.No.962 of 2017

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