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Application No.2376 of 2022 in
O.P.No.342 of 2020

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O.P.No.342 of 2020

M.SUNDAR.,J.

Ms.V.V.Uthra, learned counsel for applicant and Mr.Chevanan Mohan of M/s.King and Partridge (Law Firm) for lone respondent are before this Court.

2. Captioned application has been presented in this Court under Section 29A(4) of 'The Arbitration and Conciliation Act, 1996 (Act No.26 of 1996)', which shall hereinafter be referred to as 'A and C Act' for the sake of convenience and clarity. It can be construed as a 29A(4) application which has to be read with Section 29B(5) as Hon'ble predecessor Judge while appointing a sole arbitrator in and by order dated 24.08.2020 in O.P.No.342 of 2020 has fixed six months time frame for AT recording the consent of the parties. It is not necessary to elaborate on this facet of the matter in the instant order as both the aforementioned learned counsel before this Court submit in unison in one voice that the prayer for extension of time for the 'Arbitral Tribunal' ['AT' for the sake of brevity] to make the award, may please be acceded to as the delay



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is not attributable to any one much less to AT and that it is owing to reasons beyond the control of all concerned. Both learned counsel also submit that the intervening Corona virus pandemic and consequent lockdown, which is collectively referred to as 'Covid 19 situation', which none could portend or presage is also one of the reasons and therefore, the matter qua time frame will now stand saved by *Suo Motu* order of Hon'ble Supreme Court in Writ Petition (C) No.3 of 2020 for the period from 15.03.2020 to 28.02.2022. It may not be necessary to dilate much on this owing to the consensus between the parties and the common submission that none is responsible for delay. In other words, it is unexpected intervention of Nature is the common say of both the learned counsel.

3. In the light of narrative thus far, prayer in the captioned application is answered in the affirmative i.e., captioned application is ordered extending the time frame for Arbitrator appointed in and by order dated 24.08.2020 in O.P.No.342 of 2020 by three months from today for making the award. In other words, time for AT to make the award is extended upto **28.09.2022**. There shall be no order as to costs.

28.06.2022



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