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A.No.3283 of 2022
in Arb.OP (Com.Div) DR.No.60190 of 2022

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M.SUNDAR.J.,

Captioned application has been filed with a prayer to dispense with the production of what has been described as '*original of the Arbitral Award dated 13.01.2022 passed by the learned sole Arbitrator Mr.E.M.K.S.Siddharthar, District Judge (Retired)*'.

2. I deem it appropriate to read the above as '*signed copy of the award dated 13.01.2022 made by the learned sole Arbitrator Mr.E.M.K.S.Siddharthar, District Judge (Retired)*' owing to the language in which sub-section (5) of Section 31 of 'The Arbitration and Conciliation Act, 1996 (Act No.26 of 1996)' [hereinafter 'A and C Act' for the sake of brevity and convenience] is couched.

3. Mr.S.Arunkumar, learned counsel on record for applicants submits that captioned Arb.OP is one under Section 34 of A and C Act assailing the aforementioned award [hereinafter 'impugned award' for convenience]. Learned counsel submits that the learned sole Arbitrator has not delivered a signed copy of the impugned award to the applicants in the



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captioned application [respondents before Arbitral Tribunal] and only a photocopy with a seal which says 'certified true copy' was delivered. Learned counsel submits that it was delivered by post but the envelope is not before this Court.

4. Be that as it may, captioned application is ordered as prayed for leaving open Section 31(5) issue to be canvassed by the respondent while main OP is taken up. There shall be no order as to costs.

16.08.2022

gpa

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