



A.Nos.3961, 8231 & 8232 of 2014
in E.P.No.166 of 2013

C.V.KARTHIKEYAN, J.

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An award was passed on 04.12.2012.

2. It was not challenged by filing any application under Section 34 of the Arbitration and Conciliation Act, 1996. It was thereafter put to test by filing Execution Petition under Section 36 of the said Act. The defendant then filed an application after considerable delay, to set aside the exparte order.

3. The learned Master, however was of the opinion that an application to condone the delay should have been filed and therefore, the application to set aside the exparte order was rejected.

4. Questioning that particular order, appeals have been filed before this Court.

5. Let the matter be remanded back to the learned Master on 12.10.2022.

6. The Judgment Debtor to file necessary application to condone the delay. Such application should be brought up for consideration



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before the learned Master on or before 19.10.2022. If it is not done so, the learned Master may proceed further with the Execution Petition. If it is brought up, the learned Master may adjudicate on merits. Since there is considerable delay, learned Master may adjudicate that particular application to condone delay and all other connected applications and dispose of the Execution Petition, either in favour of the Decree holder or in favour of the Judgment Debtor on or before 31.12.2022.

7. With the above directions, the applications are disposed of.

23.09.2022

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