



Arb. Appln. No.4339 of 2022

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SENTHILKUMAR RAMAMOORTHY J.

The applicant seeks extension of the mandate of the arbitral tribunal.

2. The applicant is the claimant before the arbitral tribunal. It is stated that the arbitral proceedings are at the stage of oral arguments. At that stage, the petitioner requested for permission to file additional documents. This has resulted in the proceedings not being concluded within the time limit fixed under the Arbitration and Conciliation Act 1996.

3. Learned counsel for the respondent opposes this application primarily on the ground that the applicant has delayed the conduct and conclusion of arbitral proceedings by repeatedly taking time to produce additional documents. Learned counsel points out that the arbitral proceedings were at the stage of oral arguments and that the applicant took an adjournment for purposes of producing additional documents.



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4. By taking into account the fact that the arbitral proceedings are at an advanced stage, great prejudice would be caused to the applicant/claimant unless this application is allowed. At the same time, the respondent has raised objections on the ground that the applicant is responsible for the delay. Since the arbitral tribunal is in seisin of the matter, the arbitral tribunal is best placed to consider these objections and provide for the same while determining costs.

5. Subject to the above observations, this application is allowed by extending the mandate of the arbitral tribunal by a period of six months from the date of receipt of a copy of this order.

02.11.2022

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