



Application No.888 of 2023

WEB COURT **KRISHNAN RAMASAMY, J.**

This Application has been filed by the applicant praying to extend the time for completion of arbitral proceedings for a period of six months from today.

2. The learned counsel for the applicant submitted that this Court vide its order dated 10.05.2019, allowed the petition in O.P.No.585 of 2011. While allowing the O.P.585 of 2011, particularly in paragraph nos.27 & 28 of the said order, this Court has held as follows:

“27. In view of the above, the Arbitral Award dated 17.05.2011 is set aside and the original petition is allowed. No costs. In view of the contention made in paragraph 20 of this order, this Court suggests the names of the following Hon'ble Judges (Retired) to act as Arbitrators in the case on hand.

- 1. Hon'ble Mr.Justice Paul Vasanthakumar*
- 2. Hon'ble Mr.Justice K.P.Sivasubramaniyan*
- 3. Hon'ble Mrs.Justice Prabha Sridevan*
- 4. Hon'ble Mr.Justice S.Rajeswaran*
- 5. Hon'ble Mr.Justice K.Venkataraman*
- 6. Hon'ble Mr.Justice R.S.Ramanathan*



28. The parties shall select any one of the above Hon'ble Judges (Retired) to act as Arbitrator in the case on hand within a period of thirty (30) days from the date of receipt of a copy of this order, and thereafter produce entire documents available with them before the learned Arbitrator, to enable the learned Arbitrator to render a finding within six months from the date of commencement of Arbitration Proceedings.”

2.1. The learned counsel further submitted that pursuant to the above order of this Court, both the parties agreed to nominate Mr. Justice K. Venkataraman (Retired) as Arbitrator in the above matter. On behalf of the respondents, Mr. K. Raju, then Central Govt. Standing Counsel proceeded with the matter and filed the counter statement. Now, the respondents have changed their counsel and engaged one Mr. D. Saravanan, Advocate as their counsel. The documents viz., Exhibits C1 to C103 are with the respondents and the respondents are yet to submit those documents before the Arbitrator. Hence, the applicant has sent a letter dated 28.12.2022 to Mr. D. Saravanan, learned counsel for the respondents, requesting him to produce the documents viz., Exhibits C1 to C103.

2.2. While so, when the matter was taken up on 19.01.2023, the learned Arbitrator directed the applicant to file an appropriate application



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before this Court, praying for extension of time to complete the Arbitration proceedings. Hence, the learned counsel prayed this Court to extend the time for completion of arbitral proceedings, for a period of six months.

3. The learned counsel appearing for the respondents submitted that he has no serious objection to this application being allowed.

4. Considering the submissions made by the learned counsel on either side and also, taking note of the fact that the Tribunal cannot continue the arbitration proceedings without appropriate extension of time being granted by this Court, I am inclined to allow this Application. Accordingly, this Application is allowed and the time for completion of arbitral proceedings, is extended for a period of six months. The learned Arbitrator is directed to complete the arbitration proceedings, within a period of six months from the date of receipt of a copy of this order.

28.02.2023

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KRISHNAN RAMASAMY, J.

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