



A.No.4874 of 2023

**A.No.4874 of 2023**  
**in**  
**OP.No. 563 of 2020**

**P.T.ASHA,J.**

The above application has been moved before this Court in the light of the objections raised by the respondent to the filing of Section 16 application by the applicant before the learned Arbitrator stating that by an order of this Court dated 18.02.2021, the applicant cannot move such an application. Therefore, the applicant has come forward with the present application seeking clarification in the light of the fact in the order dated 18.02.2021 this Court had in paragraph 11(ii) stated as follows:

*“11(ii). The learned Arbitrator may, after  
issuing notice to the parties and upon hearing them,  
pass an award as expeditiously as possible,  
preferably within a period of six months from the*



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*date of receipt of the order. It is open to the respondent to raise all legal objections as to the validity of contract.*

2. Therefore, this Court, while passing the order, had clearly permitted the applicant who is the respondent therein to raise all legal objections with reference to the validity of the contract. Section 16 application, which is now sought to be filed by the applicant before the learned Arbitrator, is only sequel to this order. It is clarified that the application is only in keeping with the above order of this Court.

20.09.2023

apd/ssa

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