



Arb.Appln.No.431 of 2023

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WEB C **C.SARAVANAN, J.**

The learned counsel for the applicant is present. There is no representation on behalf of the respondents.

2. An order was passed in this application as early as 22.08.2023.

3. By the aforesaid order, an Advocate Commissioner was also appointed. However, the warrant could not be executed on account of various factors. Meanwhile, the respondents appears to have make two payments.

4. According to the learned counsel for the applicant, the respondents have paid only a sum of Rs.7,50,000/- till date from the date of filing of the present application after an order was passed on 22.08.2023. This application cannot be kept endlessly before this Court.

5. Considering the fact that the dispute between the applicant and the respondents is arbitrable and Clause 9 of the Arbitration and Conciliation Act, 1996, has also mandates initiation of the arbitration



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proceedings within a period of ninety days from the date of order, I am of the view that this application can be closed with liberty to the applicant to move suitable application under Section 17 of the Arbitration and Conciliation Act, 1996 by initiating arbitration proceedings to protect its rights.

6. This application stands closed with the above observations.

27.02.2024

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C.SARAVANAN, J.



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