



A.No.482 of 2024

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Both sides are present.

2. The learned Senior Counsel for the respondent appears and submits that there has been inordinate delay in the arbitration proceedings as the applicant had been negligent to not pursuing in the arbitration proceedings. It is submitted that the case is now pending before the third Arbitrator namely Mr.L.Yousuf Ali, who was appointed by this Court by its Order dated 16.06.2017.

3. It is submitted that the applicant has also not paid fees to the learned Arbitrator. Hence, at best, this application can be allowed subject to terms.

4. The learned Senior Counsel for the respondent on the other hand would submit that the proceedings could not be completed earlier as the third arbitrator was appointed only on 16.06.2017 and further submits that the mandate was earlier extended by this Court on 09.02.2021.



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5. It is further submitted that the learned Arbitrator had taken ill for some time and the delay also partly attributable on account of Covid-19 pandemic.

6. Having considered the arguments advanced by the learned counsel for the applicant and the the learned Senior Counsel for the respondent, Court is inclined to allow this application considering the fact that only Arbitral Award has to be passed.

7. Considering the fact that the applicant has attributed to enormous delay in the arbitration proceedings which commenced as early as 10.08.2007 pursuant to appointment of former Judge of this High Court (since deceased) on 10.06.2011, the applicant is directed to pay a sum of Rs.5,000/- to the credit of Madras High Court Advocate Clerks Welfare Association.

8. The applicant is directed to ensure all the payment and fees paid to the learned Arbitrator.



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9. This Application is ordered subject to the above terms.

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