



A No.334 of 2025

Application No.334 of 2025

WEB CO **ABDUL QUDDHOSE, J.**

M/s.RPN Engineers Chennai Pvt. Ltd.,
Chennai.

.. Applicant

Vs.

The Union of India,
Southern Railway,
Chennai.
And another

.. Respondents

For Applicant : A.Vikash

For Respondents : Ms.S.P.Aarthi, Standing Counsel

This application has been filed under Section 29A of the Arbitration and Conciliation Act, 1996 (in short “the Act”) seeking extension of time for the Arbitrator to pronounce arbitral award by another period of six months.

2. According to the applicant, there became a necessity for the applicant to file this application for the following reasons:-

a) The documents presented by both the parties are voluminous in nature, which require considerable amount of time to be spent by the Arbitrator.

b) The respondents have made a counter-claim before the



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Arbitrator and in respect of their counter claim, they have also filed documents, which are voluminous in nature, and only due to the same, there has been a delay on the part of the Arbitrator to pronounce arbitral award.

3. However, the aforesaid contentions of the learned counsel for the applicant have been denied by the respondents as seen from their counter affidavit filed before this Court. The learned standing counsel for the respondents would submit that both the parties had agreed before the Arbitrator that they are not going to let in oral evidence and they would rely upon the documents placed on record. Therefore, extension sought for by the Arbitrator through this application does not arise. She would further submit that a similar application was already filed seeking extension of time and this Court was pleased to extend the time by a period of three months.

4. Admittedly, the arbitration is presently in the arguments stage. Admittedly, both the parties have agreed that they are not going to let in oral evidence. The grievance of the respondents, if any, as raised in the counter affidavit filed before this Court, can be redressed in case they fail



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in the arbitration through an application filed by them under Section 34 of the Act once an arbitral award is passed by the Arbitrator. Therefore, at this stage, this Court is not inclined to dismiss this application. But, however, to protect their interest, the respondents are permitted to raise all objections, which includes the objections raised by them through their counter affidavit in this application, in the Section 34 application, in case an arbitral award is passed against them.

5. Since this Court prima-facie finds that sufficient cause has been shown by the applicant for seeking extension of time, this Court will have to grant extension of time. Accordingly, this application is disposed of by granting three months' extension from today for the Arbitrator to pronounce the arbitral award.

17.02.2025

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Note to Office:

Issue order copy by today itself (17.02.2025)

ABDUL QUDDHOSE, J.

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