



A. No.1830 of 2025

ABDUL QUDDHOSE.J.,

WEB COPY

This application has been filed, seeking for extension of time for the arbitrator to pronounce the arbitral award by another period of three months.

2. Objections have been raised by the respondents for allowing this application, which are as follows:

a) This is the fourth extension, the applicant is seeking under Section 29A of the Arbitration and Conciliation Act;

b) When the arbitrator had reserved the matter for pronouncement of arbitral award, the applicant has come forward with an application seeking to re-open and recall the witness for the purpose of marking certain additional documents as exhibits. At this belated stage, and that too when the applicant was in possession of the aforesaid documents, the question of filing the said application by the applicant before the arbitrator does not arise.

3. Admittedly, the arbitrator has recorded the evidence of both the parties to the dispute and at the stage, when the arbitrator has reserved the



WEB COPY

matter for pronouncement of arbitral award, the applicant has filed an application seeking to re-open and recall of witness for the purpose of marking certain additional documents.

4. The learned counsel for the applicant would submit that if two weeks time is granted to the applicant, the applicant shall examine his witness and mark additional documents. The said statement made by the learned counsel for the applicant is recorded. The applicant also states that the documents, which have to be marked as exhibits are essential for the purpose of proving the applicant's claim in the arbitration.

5. This Court has given due consideration to the contents of the affidavit filed in support of this application is of the considered view that sufficient cause has been shown by the applicant for seeking extension of time, though not for a period of three months as sought for in this application. Three months extension cannot be granted by this Court in view of the fact that the arbitrator has already recorded the evidence of both the parties and has infact, reserved the matter for pronouncement of arbitral award. Since the applicant has given an unconditional undertaking before



WEB COPY

this Court that once an order for re-open and recall is passed by the arbitrator, within a period of two weeks, the applicant shall examine his witness and mark the additional documents as exhibits filed along with the said application, this application seeking extension of time for the arbitrator to pronounce the arbitral award is entertained.

6. Since sufficient cause has been shown by the applicant for seeking extension of time for the arbitrator to pronounce the arbitral award, though not for a period of three months as prayed for in this application, this Court, after giving due consideration to the contents of the affidavit filed in support of this application, is granting two months for the arbitrator to pronounce the arbitral award to enable the applicant to re-open and recall the applicant's witness for the purpose of marking additional documents to substantiate the applicant's claim in the arbitration.

7. Accordingly, this Court grants extension of time for the arbitrator to pronounce the arbitral award within a period of two months from the date of receipt of a copy of this order. However, in case the respondents are aggrieved by any deliberate delay on the part of the applicant to protract the



ABDUL QUDDHOSE.J.,

ab

WEB COPY

arbitration, the respondents are granted liberty to raise all those objections and contentions, in case they suffer an arbitral award under Section 34 of the Arbitration and Conciliation Act.

21.04.2025

ab

Note: Issue Order Copy Tomorrow (i.e., on 22.04.2025)

A. No.1830 of 2025