



WEB COPY



A.No.2752 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 13.12.2024

Pronounced on : 31.01.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

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Vivek Automobiles Private Limited,
Kanipath, Kathmandu,
Nepal and
also having its branch office at
No.11, Allenby Road, Kolkata – 700 020.

Applicant(s)

Vs

Eicher Motors Limited,
3rd Floor, Select City Walk,
A-3 District Centre Saket,
New Delhi – 110 017,
also having its branch office at
Thiruvottiyhur High Road,
Thiruvottiyur,
Chennai – 600 019.

Respondent(s)

For Applicant(s): Mr.A.R.Ramanathan
for Mr.S.Karunamoorthy

For Respondent(s): Mr.P.S.Raman
Senior Counsel
& Mr.N.Vijay Narayan
Senior Counsel
for Mr.Arun C.Mohan



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ORDER

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2.I have heard Mr.A.R.Ramanathan, learned counsel for Mr.S.Karunamoorthy, learned counsel for the applicant and Mr.P.S.Raman, learned Senior Counsel and Mr.Vijay Narayan, learned Senior Counsel for Mr.Arun C.Mohan, learned counsel for the respondent

3.I have gone through the affidavit filed in support of the application for extension of the mandate of the Arbitral Tribunal under Section 29-A of the Arbitration and Conciliation Act. The request made by the applicant/claimant is not seriously disputed by the learned Senior Counsel appearing for the respondent. I am also satisfied with the reasons assigned in the affidavit filed in support of the application seeking extension of the mandate of the Arbitral Tribunal.

4.In fact, only at the stage of an application taken out for examining the third party to the proceedings before the Arbitral Tribunal, the



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proceedings got delay. Further, I am also separately deciding the order passed by the Arbitral Tribunal in the said application under Section 27 of the Arbitration and Conciliation Act.

5.In view of the totality of circumstances, I find that there is no unreasonable delay on the part of either the Arbitral Tribunal or the parties and the request for extension of the mandate of the Arbitral Tribunal is therefore just and necessary.

6.In view of the above, the application is allowed and the mandate of the Arbitral Tribunal is extended by six months from today.

31.01.2025

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P.B.BALAJI,J.

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