



A.No.4037 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.09.2025

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

A.No.4037 of 2025

R.Vedagiri
3rd Partner M/s.Prashant Enterprises
No.3&4, First Floor
Mogappair Road, Padi
Chennai 600 050

.. Applicant

Vs.

1.K.Rajakumari
1st Partner M/s.Prashant Enterprises
No.3&4, First Floor
Mogappair Road, Padi
Chennai 600 050

2.M.Kandasamy
2nd Partner M/s.Prashant Enterprises
No.3&4, First Floor
Mogappair Road, Padi
Chennai 600 050

.. Respondents

Application filed under Order XIV Rule 8 of the Madras High Court Original Side Rules read with Section 29A(4) of the Arbitration and Conciliation Act, 1996, to extend the time for passing an Award by the learned sole Arbitrator Mrs.R.Rathna Thara, Advocate in ACP.No.6 of 2022 by another six months.

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For applicant : Mr.Sharukumar S.I

For respondents : Mr.S.Sathiaseelan

ORDER

This application has been filed under Section 29A of the Arbitration and Conciliation Act, 1996, seeking for extension of time to complete the arbitration proceedings.

2. Heard both sides.

3. Learned counsel for the respondents relied upon the counter affidavit filed by the respondents and submitted that the learned Arbitrator was appointed by this Court by an order dated 05.04.2022. Thereafter, the applicant has been filing repeated interlocutory applications and in spite of extension of time that was granted during earlier occasions, the applicant is not co-operating for the completion of the arbitration proceedings.

4. Learned counsel for the respondents further submitted that during earlier occasions, the respondents have given consent for the extension of time with the



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fond expectation that the proceedings will be completed within the extended time and also consented for extension of time by the Court. However, repeated interlocutory applications have been filed and the proceedings are dragged on. Therefore, the learned counsel for the respondents vehemently opposed the grant of any further extension of time in this case.

5. In the considered view of this Court, the scope of an application under Section 29A of the Act is very limited. The Apex Court, in the case of ***M/s.Ajay Protech Pvt. Ltd. Vs. General Manager & Another*** reported in ***(2024) SCC OnLine SC 3381***, has held that the Court must only facilitate an effective dispute resolution and should not obstruct it.

6. The liberal interpretation given to Section 29A application was further reiterated in the case of ***Rohan Builders (India) Pvt. Ltd. Vs. Berger Paints India Ltd.*** reported in ***(2024) SCC OnLine SC 2494***, wherein, the Apex Court went to the extent of saying that such an application is maintainable, even after the prescribed period is over. Therefore, the consistent view of the Apex Court is that only in rare cases, such extension of time should not be granted and normally, the



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Court must ensure that the time is extended for facilitating the effective dispute

WEB resolution.

7. Taking into consideration the facts and circumstances of the case and recording the objections made by the learned counsel for the respondents, this Court is inclined to finally extend the time for a period of three months and accordingly, time is extended finally by three months. It is made clear that the proceedings must be completed within this period and no further extension of time will be granted by this Court.

This application is disposed of in the above terms.

12.09.2025

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N. ANAND VENKATESH, J.

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