



A.No.4404 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

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S.V.Saranya

Partner M/s.Supreme Foundation Partnership Firm
Residing at No.30, Hospital Road (VGP Salai)
West Saidapet, Chennai 600 015
Business at C2, F2, Sivavel Apartments
No.2, Alagappa Nagar, Zamin Pallavaram
Chennai 600 117

.. Applicant

Vs.

1.Supreme Foundation

Partnership Firm

Reg. Office at C2, F2, Sivavel Apartments
No.2, Alagappa Nagar, Zamin Pallavaram
Chennai 600 117

Business at GSTIN 33A2EPM8301P2Z3
No.32, Alandur Road, Saidapet, Chennai 600 015

2.A.Mohammed Asif

Proprietor Supreme Foundation

GSTIN 33A2EPM8301P2Z3

No.32, Alandur Road, Saidapet, Chennai 600 015



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3.A.Mohammed Asif

Partner, Supreme Foundation

Residing at No.56, Hospital Road (VGP Salai)

West Saidapet, Chennai 600 015

Business at C2, F2, Sivavel Apartments

No.2, Alagappa Nagar, Zamin Pallavaram

Chennai 600 117

4.R.Shankar

Power Agent of K.Subburaman

Residing at No.30, Hospital Road (VGP Salai)

West Saidapet, Chennai 600 015

5.K.Subburaman

6.Vishnu Priya Narasimhan

.. Respondents

Application filed under Order XIV Rule 8 of the Original Side Rules read with Section 29A(4) of the Arbitration and Conciliation Act, 1996, to extend the time by a period of six months to enable the Arbitrator to complete the arbitration proceedings as between the applicant and the respondents.

For applicant : Mr.A.Ramesh Manikandan

For R6 : Mrs.Vedavalli Kumar

ORDER

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



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WEB COPY 2. The 6th respondent has filed a detailed counter affidavit and has brought to the notice of this Court that the 6th respondent, who was the claimant, sought withdrawal of the claim and in spite of the same, the said request was rejected and that the 6th respondent is not interested in prosecuting the claim any more.

3. Learned counsel appearing for the 6th respondent submitted that if the claimant is not interested in prosecuting the claim, no useful purpose will be served in extending the period for the completion of the arbitration proceedings.

4. *Per contra*, learned counsel for the applicant submitted that the applicant has made counterclaim and therefore, even if the claimant does not want to prosecute the claim, that will not result in the automatic closure of the proceedings and the counterclaim has to be considered by the learned Arbitrator.

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



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

7. In the considered view of this Court, the scope of adjudication in an application under Section 29A is very limited. The Court must only see if the extension of time will facilitate in the effective dispute resolution between the parties. Considering the claim and counterclaim made by both the parties and also considering the fact that this is the second instance, where the parties have approached this Court seeking extension of time, this Court is inclined to extend



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the time for a period of six months. This Court expects both the parties to

co-operate for the completion of the proceedings within the extended time. It is made clear that no further extension of time will be granted by this Court. The above direction issued by this Court will not stand in the way of both the parties raising all their grounds to workout their remedy in the manner known to law.

This application is disposed of in the above terms.

12.09.2025

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N. ANAND VENKATESH, J.

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