



Application No.4419 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

Application No.4419 of 2025

M/s.Rajni Exports and Imports
Represented by its Partner
Having Office at No.157 & 158
Srinivasan Kumar Street
Golden George Nagar
Nerkundram, Chennai – 600 107.

..... Applicant

Vs

The State Trading Corporation of India Limited
Represented by its Manager – Marketing
Having Branch Office at
STC Trade Centre
A-29, Thiru-Vi-Ka Industrial Estate
Guindy, Chennai – 600 032.

..... Respondent

PRAYER : Application filed under Order XIV Rule 8 of O.S. Rules read with Section 29A of Arbitration and Conciliation Act, 1996, praying to grant further time for the completion of Arbitration proceedings pending before the sole Arbitrator Mr.R.Krishna, Advocate.



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For Applicant : Mr.N.R.R.Arun Natarajan

For Respondents : Mr.S.Umapathy

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ORDER

This application has been filed under Section 29A of the Arbitration and Conciliation Act, 1996 for extension of mandate of the Sole Arbitrator to complete the proceedings and to pass an award.

2. When the application came up for hearing on 10.10.2025, this Court passed the following order :

“The Arbitrator was appointed by this Court by an order dated 29.03.2021 passed in O.P.No.81 of 2021. When this Court passed the order, this Court directed the learned Arbitrator to complete the proceedings preferably within a period of six months. The proceedings were not able to be completed within the period of six months and hence, the learned Arbitrator had directed the parties to seek for extension of mandate through e-mail dated 02.10.2023.

2. The present application seeking for extension of time has been filed only on 21.08.2025. There is absolutely no explanation as to why it took nearly 2 years for the applicant to file the present application seeking for extension of time. When the above was pointed out to the learned counsel for applicant, learned counsel



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seeks for some time to produce certain documents.

Post this application on 17.10.2025.”

3. The respondent filed a counter on 15.10.2025. The respondent took a stand that there is absolutely no explanation on the side of the applicant as to why the applicant did not take any steps to extend the mandate even though it was informed to the applicant by the Arbitrator as early as on 02.10.2023. The respondent has also taken a further stand that the applicant at Paragraph No.16 of the affidavit has stated as if the respondent has agreed for the extension of six months. This statement made in the affidavit has been stoutly denied by the respondent. The respondent has also taken a stand that no such consent was given on behalf of the respondent by its counsel. Hence, the respondent has sought for dismissal of this application.

4. Pursuant to the earlier order passed by this Court, an additional affidavit has been filed by the applicant along with all relevant documents explaining as to why the delay has occasioned.

5. Heard Mr. N.R.R.Arun Natarajan, learned counsel appearing for the



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applicant and Mr.S.Umapathy, learned counsel appearing for the respondent.

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6. In the considered view of this Court, the delay in completing the arbitral proceedings is attributable to both the parties. The learned counsel for the respondent-Corporation submitted that neither the Corporation nor its counsel at any point of time had given 'No objection' for extension of mandate and such an averment made in paragraph No.16 of the affidavit is false. It is not necessary for this Court to go into this issue. The fact remains that the parties have to agitate the dispute before the learned sole Arbitrator and the case is at the stage of framing issues.

7. It is now too well settled that the Court while dealing with an application under Section 29A must ensure that sufficient cause must be interpreted and facilitate effective dispute resolution and the Court should not obstruct the same on technicalities.

8. Useful reference can be made to the judgement of the Apex Court in ***Ajay Protech Pvt. Ltd. Vs General Manager and another*** reported in **2024 SCC Online SC 3381**.



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9. In view of the above, this Court is inclined to extend the mandate of the Sole Arbitrator by three months from today.

10. This application is disposed of in the above terms. No costs.

31-10-2025

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N. ANAND VENKATESH., J

ds

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