



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

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CORAM

THE HON'BLE MR JUSTICE P. VELMURUGAN

AND

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

O.S.A.No.117 of 2022

and

C.M.P.No.7897 of 2022

M/s.Jain Housing and Construction Ltd.,
No.11, Somasundaram Street, T.Nagar,
Chennai - 600 017.

..Appellant(s)

Vs

1. V. Ramiah,

No.29, Neelakanta Mehta Street,
T.Nagar, Chennai - 600 017.

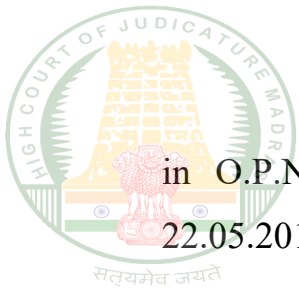
2. Hon'ble Justice Mr.K.Sampath

(Retd.Judge of the Hon'ble High Court of Madras)

11, Second Street, Jagadambal Colony,
Royapettah, Chennai – 600 014.

..Respondent(s)

Prayer : Original Side Appeal filed under Section 37(1)(C) of the Arbitration and Conciliation Act, 1996, to set aside the judgement dated 12.08.2021 made



in O.P.No.5 of 2015 insofar as setting aside the Arbitral Award dated 22.05.2014 and restore the Arbitral Award dated 22.05.2014.

WEB COPY For Appellant(s): Mr.Naveen Kumar Murthi

For Respondent(s): R1 - Died
R2 - Sole Arbitrator

J U D G M E N T

(Judgment of the Court was made by P.Velmurugan, J.)

The present intra-Court appeal is directed against the judgement dated 12.08.2021 made in O.P.No.5 of 2015.

2. It is seen from the records that the first respondent/petitioner died on 25.05.2024. A memo dated 26.11.2024 has been filed reporting the said fact. However, no steps have been taken, till date, to bring the legal representatives of the deceased respondent on record.

3. Under Article 120 of the Limitation Act, an application to implead the legal representatives of a deceased party is required to be filed within 90 days from the date of death, failing which, the proceedings abate as against such party.

4. In the present case, despite the lapse of the prescribed period, no application has been filed to implead the legal representatives of the deceased



first respondent/petitioner. Hence, the Original Side Appeal stands abated.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(P.V.,J.) (K.G.T.,J.)

28-04-2026

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P.VELMURUGAN J.

AND

K.GOVINDARAJAN THILAKAVADI J.

ms

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