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CMP No. 4316 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

C.M.P.No.4316 of 2026

in

Arb Appeal No. 53 of 2025

The Superintending Engineer,
Highways Construction and Maintenance,
Chennai Circle,
299, Annasalai,
Chennai

..Appellant(s)

Vs

S. Arumairaj
Rep. by its Partner L. Subramaniam,
No.15, Kasturi Rangan Road,
Alwarpet, Chennai - 600 018

..Respondent(s)

Prayer: Civil Miscellaneous Petition filed under Section 148 of C.P.C., praying to pass an order of extension of time for further two months to comply with order dated 15.10.2025 in CMP No.24928 of 2025 in Arbitration Appeal. No.53 of 2025 to deposit the entire amount, along with accrued interest and costs, in the account of OP No.747 of 2016.



For Appellant(s):

Mr.R.Raman laal
Additional Advocate General
Assisted by
Mr.R.Siddharth
Additional Government Pleader

For Respondent(s):

Mr.D.Balaraman

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

This Civil Miscellaneous Petition has been filed, seeking extension of two further months to comply with the order dated 15.10.2025 in C.M.P.No.24928 of 2025.

2. The present arbitration appeal has been filed, questioning an order in O.P.No.747 of 2016, wherein, the petitioner/appellant herein had suffered an award as follows:

“1.The Claimant is entitled to recover a sum of Rs.88,35,891 and Rs.33,09,228.00/- from the Respondent.

2. The Claimant is entitled to recover Rs.3,34,24,012.00/- and Rs.94,06,844/- towards interest calculated up to 31.12.2014.

3. The Respondent is directed to return the Two Bank Guarantees to the Claimant within one month from the date of this Award.

4. The Claimant is entitled for interest at 18% per annum



on the sum awarded from the date of Award till the date of payment.

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5. The Claimant is entitled for the Costs of Rs.9,20,000/-, but the Claimant is not entitled for interest on this amount.”

3. Questioning that, O.P.No.747 of 2016 had been filed and the same had been dismissed by order dated 31.01.2025, confirming the award of the arbitral Tribunal. Challenging that order, the present appeal had been filed.

4. A Co-ordinate Division Bench of this Court, by its order dated 15.10.2025, had directed the petitioner/appellant to deposit the entire award amount together with interest and costs within a period of six weeks. Thereafter, the petitioner had filed C.M.P.No.30200 of 2025, which was sworn in November 2025, seeking extension of three months time to comply with the directions. This Court, by order dated 06.01.2026, had granted time till 17.02.2026 to comply with the directions and had stated as follows:

“6.Taking all factors into consideration and particularly the date of the order of the award, we would grant time till 17.02.2026 to comply with the directions issued on 15.10.2025, failing which, the interim stay granted by this Court would stand automatically vacated.”



5. Now, the present civil miscellaneous petition has been filed, seeking further extension of time. In the affidavit filed in support of this petition, only the facts have been stated, but no reasons have been given as to why the deposit has not been made within the specified time.

6. The learned counsel for the respondent stated that the work, for which the award had been granted by the arbitral Tribunal, had been completed in the year 2001 itself and the respondent had not seen the colour of the coin from that date. The only reason given in the affidavit is as follows:

“13. It is further submitted that the above proposals for requesting necessary allotment to deposit the entire award amount, along with interest and costs is still pending for approval with Finance Department and it is requested for further extension of time for a period of two months.”

7. Except for the above, no further reasons have been given. The learned Additional Advocate General made a submission that the matter is pending for approval with Finance Department. However, taking into account the inordinate delay in complying with the directions of this Court, we are not inclined to grant the further time sought.



8. Accordingly, the Civil Miscellaneous Petition in C.M.P.No.4316 of 2026 stands dismissed. However, there shall be no order as to costs.

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(C.V.K.,J.) (K.B.,J.)
24-02-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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(2/2)**

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