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Arbitration Act, 1940

Rule 39 - RULE 39:

The Registrar shall send copies of all papers, claim statement, defence statement, counter-claims, replies, statements, documents etc. received from the parties to the dispute to the arbitrator/arbitrators constituting the Bench under rule 24-with a request to proceed with the arbitration and the Bench shall be deemed to have entered on the reference on the day on which applications, defence statement, counterclaims, replies, documents, etc. have been despatched to the arbitrator/arbitrators. Intimation shall be given to the parties of the day on which the Bench is deemed to have entered on the reference. If the claimant does not file all the documents, papers, information, etc. or does not deposit the appropriate registration fees as per the Rules after having been given due opportunity for the purpose by the Registrar or the Bench, the Registrar or the Bench may dismiss/close the case on file for lack of pursual by the claimant. Similarly, if the defendant fails to produce any documents, papers or information or deposit arbitration fees, etc. after having been given due opportunity for the purpose by the Registrar or the Bench, the Registrar or the Bench may proceed further with the arbitration proceedings as per the Rules, notwithstanding such failure or refusal by the defendant.