

Sanil Kumar vs Saijumon

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Court : Kerala

Decided On : Apr-11-2025

Judge : Honourable Mr. Justice Syam Kumar V.M.

Appeal No. : OP(ATE)/7/2025

Appellant : Sanil Kumar

Respondent : Saijumon

Judgement :

OP(ATE) NO.7/2025 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.
FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947
OP(ATE) NO. 7 OF 2025 ARISING OUT OF THE ORDER DATED
18.12.2023 IN AR NO.203 OF 2023 OF HIGH COURT OF KERALA
PETITIONER/RESPONDENT:

SANIL KUMAR AGED 32 YEARS S/O SAILAN, MALAYATTIL NIKARTH,
PANAVALLY VILLAGE, PANAVALLY P.O., CHERTHALA TALUK,
ALAPPUZHA DISTRICT., PIN - 688526 BY ADVS. DR.V.N.SANKARJEE
V.N.MADHUSUDANAN R.UDAYA JYOTHI KEERTHI B. CHANDRAN

VIJAYAN PILLAI P.K. SHILPA P.S. UNNIKRISHNAN H. ASWIN P.S.
SHRIYA MERLIN MAXWELL SINEESH K.M.
RESPONDENTS/PETITIONER: 1 SAIJUMON AGED 41 YEARS S/O
VIJAYAN, VIJAYA BHAVANAM, PANAVALLY VILLAGE, PANAVALLY
P.O., CHERTHALA TALUK, ALAPPUZHA DISTRICT., PIN - 688526
OP(ATE) NO.7/2025 2 2 DARSANA AGED 32 YEARS W/O SAIJUMON,
VIJAYA BHAVANAM, PANAVALLY VILLAGE, PANAVALLY P.O.,
CHERTHALA TALUK, ALAPPUZHA DISTRICT., PIN - 688526 BY
ADVS. ROY CHACKO C.A.RAJEEV THIS OP(ARBITRATION TIME
EXTENSION) HAVING BEEN FINALLY HEARD ON 11.04.2025, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING: OP(ATE)
NO.7/2025 3

JUDGMENT

Dated this the 11th day of April, 2025 This Original Petition is filed seeking to extend the mandate of the learned Arbitrator who was appointed by this Court vide order dated 18.12.2023 in A.R.No.203 of 2023.

2. This Court, vide the said order, nominated and

appointed the learned Arbitrator to adjudicate and resolve the disputes between the parties arising out of the agreement, produced as Annexure A1 in A.R.No.203 of 2023.

3. It is noted that pursuant to the order of appointment,

proceedings had commenced before the learned Arbitrator in due earnest and were being conducted diligently. Nevertheless, the arbitration proceedings could not be completed within the statutorily ordained period for the reasons elaborated in the Original Petition.

4. Heard Sri.Dr.V.N.Sankarjee, learned counsel for the petitioner, Sri.Roy Chacko, learned counsel for the 1 st respondent and Sri.C.A.Rajeev, learned counsel for the 2nd respondent.

5. The learned counsel appearing on both sides submitted

that the learned Arbitrator's mandate needs to be extended. I note OP(ATE) NO.7/2025 4 that sufficient cause has been made for extending the Arbitrator's mandate, and the time period of the arbitration proceedings in this O.P. (ATE) can be extended as requested. Accordingly, the O.P.(ATE) is allowed. The mandate of the Arbitrator appointed vide order dated 18.12.2023 in A.R.No.203 of 2023 is hereby extended by a period of ten months from today. Sd/- SYAM KUMAR V.M. JUDGE csl OP(ATE) NO.7/2025 5 APPENDIX OF OP(ATE) 7/2025 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE ORDER DATED 18.12.2023 IN A.R. NO. 203/2023 OF THIS HONOURABLE COURT Exhibit P2 TRUE COPY OF CLAIM STATEMENT DATED 06.03.2024 IN A.R.C. NO. 1/2024 FILED BY THE 1ST RESPONDENT Exhibit P3 TRUE COPY OF THE PETITIONERS DEFENCE STATEMENT IN A.R.C. NO. 1/2024 WITHOUT ANNEXURES Exhibit P4 TRUE COPY OF THE DETAILS OF PROCEEDINGS IN ARC.1/2024 OF THE ARBITRAL TRIBUNAL Exhibit P5 TRUE COPY OF THE ADJOURNMENT APPLICATION DATED 20.11.2024 IN A.R.C. NO. 1/2024 FILED BY THE RESPONDENTS

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