

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**FRIDAY ,THE TWENTY FIFTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE**

**I.A.No. 1 OF 2023**

**IN**

**ARBITRATION APPLICATION NO: 17 OF 2020**

**Between:**

V. Sudhakar, S/o Late V. Basveswar Rao, aged 73 years, Occ. Business, R/o 302. Ivy Terrace, Plot No. 119, Kavuri Hills Main Road, Opp: Madhapur PS Lane, Hyderabad-500033.

**...Petitioner/Applicant**

**AND**

M/s S & S Green Projects Private Limited, (previously known as M/s S & S Constructions) a Company incorporated under the Companies Act, 1956 having its registered office at Plot No.1299D, T-1, Green view Plaza, Road No.1, Jubilee Hills, Hyderabad-500033 rep. by its Director Sri M.Vijay Sai.

**...Respondents/Respondent**

Petition under Section 29(A) of the Arbitration and Conciliation Act, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to extend the mandate of the said Arbitral Tribunal comprising of Sole arbitrator Sri Justice (Retd.) V.V.S. Rao by additional 6 months w.e.f 21/12/2023 in the arbitration application bearing No.17 of 2020.

**Counsel for the Applicant : Sri E. Ajay Reddy, Senior Counsel representing  
Ms. E. Anisha Reddy**

**Counsel for the Respondent : Sri M.V. Durga Prasad**

**The Court made the following: ORDER**

Mr. E.Ajay Reddy, learned Senior Counsel appears for Ms. E.Anisha Reddy, learned counsel for the applicant.

Mr. M.V.Durga Prasad, learned counsel for the respondent.

Heard on I.A.No.1 of 2023, an application under Section 29A(4) of the Arbitration and Conciliation Act, 1996 (for short 'the A&C Act').

Facts giving rise to filing of this application briefly stated are that in pursuance of order dated 19.12.2020, passed by a Bench of this Court in Arbitration Application No.17 of 2020, Mr. Justice V.V.S.Rao, a former Judge of the then composite High Court of Andhra Pradesh was appointed as sole Arbitrator to adjudicate the dispute. The learned Arbitrator entered upon the reference. However, learned Arbitrator could not pass the arbitral award within the time limit prescribed under Section 29A of the A&C Act. Thereupon, this application has been filed seeking extension of time for passing the award.

Learned counsel for the respondent, while placing reliance on a decision of the Supreme Court in **Chief Engineer (NH) PWD (Roads) v. BSC & C and C JV<sup>1</sup>**, submits that the application seeking extension of time to render the award can be filed before the Principal Civil Court of original jurisdiction in a District. He further submits that in case such an application is filed, the respondent shall not raise an objection with regard to maintainability of such an application and be permitted to urge all other contentions including maintainability on other grounds.

In view of aforesaid submission, learned counsel for the applicant submits that he be permitted to approach the Principal Civil Court of original jurisdiction in the District.

In view of above and in the facts and circumstances of the case, the application is disposed of with liberty to the applicant to move the Principal Civil Court of original jurisdiction in the District.

Needless to state that it will be open for the applicant to seek the benefit of Section 14 of the Limitation Act in the proceeding, which may be instituted.

It will also be open for the respondent to raise all other objections including the maintainability of the application, if so made, as well as the contentions, which are permissible in law except the jurisdiction of the Principal Civil Court to entertain the application.

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I 2024 SCC OnLine SC 1801

Sd/- K. SRINIVASA RAO  
JOINT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. Sri Justice V.V.S.Rao, Former Judge of then composite High Court of Andhra Pradesh, H.No. 165/3, Street No.6, Baghlingampally, Hyderabad - 44. (By Special messenger)
2. One CC to Ms. E. Anisha Reddy, Advocate [OPUC]
3. One CC to Sri M.V. Durga Prasad, Advocate [OPUC]
4. Two CD Copies

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Njb/kam

HIGH COURT

DATED:25/10/2024



ORDER

I.A.No. 1 of 2023  
In  
ARBAPPL.No.17 of 2020

EXTENSION OF TIME

6 Copies  
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29/10/24