

KAMS010019812026



**IN THE COURT OF THE PRINCIPAL DISTRICT AND  
SESSIONS JUDGE AT MYSURU**

**Dated this the 1<sup>st</sup> day of July, 2026**

**PRESENT**

**Smt. Usharani, B.A.(Law), LL.B.,**  
Principal District & Sessions Judge,  
Mysuru.

**MISC.156 OF 2026**

**Petitioner/s:**

Smt. Taradevi V. W/o.  
Ramegowda, D/o. Late  
Veerappa, aged about 41  
years, Partner M/s. Adithya  
Builders and Developers,  
No.7, 1<sup>st</sup> North Kumbhar  
Koppal, Mysuru-570016.

Presently R/at. #194,  
"Belagu" MUDA Employees  
Layout, Dattagalli 3<sup>rd</sup> Stage,  
Mysuru-570022.

**(By Sri K.R. Shivashankar,  
Advocate)**

**V/s.**

**Respondent/s:** 1. M/s. Adithya Builders and

Developers, No.716, 2<sup>nd</sup> Cross,  
2<sup>nd</sup> Main, 1-Block, Ramakrishna  
Nagar, MYSURU-570022.

Represented by its Managing  
Partner Sri Veerappa, **Since  
dead by LRs/Partners**

- a) Smt. Hamsa Kumari B.V. W/o. Kotappa, D/o. Late Veerappa, aged about 41 years, R/at. # 509, 12<sup>th</sup> Main, M.S. Ramaiah Enclave, Nagasandra P.O. Bengaluru-560073.
- b) Sri Kotappa, S/o. Sri Cheluvaiah, aged about 52 years, R/at. # 509, 12<sup>th</sup> Main, M.S. Ramaiah Enclave, Nagasandra P.O. Bengaluru-560073.
- c) Smt. B.V. Gunasheela D/o. Late Veerappa, aged about 34 years, residing at No.716, 1<sup>st</sup> Cross, 11<sup>th</sup> Main, 1-Block, Ramakrishna Nagar, Mysuru-570023.  
Presently residing at # 509, 12<sup>th</sup> Main, M.S. Ramaiah Enclave, Nagasandra P.O. Bengaluru-560073.
- d) Smt. Sannamma W/o. Late Veerappa, aged about 77 years, R/at. Haluvagilu Huthari Post, Huthridurga Hobli,

Kunigal Taluk, Tumkur District-  
571216.

**[R-1(a) & (b) by Sri  
P.T.Ponnappa, Advocate and R-  
1(c) & (d) absent]**

**ORDER ON PETITION FILED UNDER SECTION 29  
OF THE INDIAN ARBITRATION AND  
CONCILIATION ACT 2019**

This petition has been filed by the petitioner under Section 29 of the Indian Arbitration and Conciliation Act 2019, seeking extension of time for completion of Arbitration proceedings in AC No.127/2023 on the file of Arbitration Center at Bengaluru.

**2. The grounds urged for extension of period are as follows:**

After registration of AC No.127/2023, hearing was fixed on 12.12.2023, on which date proceedings was commenced and it was posted on 02.02.2024 and on the said date evidence was commenced and matter was adjourned to future date. Matter was at the stage of respondents' evidence, but one year was about to expire,

application for extension of time was made in Misc.222/2025, which was allowed by extending 3 months time from 12.6.2025 for completion of said arbitral proceedings. The said order was served upon the Arbitrator, but the said period expired on the same day. Hence Arbitrator could not continue the proceedings. Hence, the Arbitrator requested for extension of time. Therefore, another application was filed and the Court has granted time upto 12.3.2026. The Arbitrator reheard the matter on 31.1.2026 and reserved the matter for order. But Arbitrator informed through e-mail that due to cardiac issue, he was advised to take rest for few more weeks and hence he could not pass order within the time extended. Having no other alternative, this application is filed for one more extension of time. Petitioner has already spent more than Rs.10,00,000/- in this case and it is pending for nearly a year. If time is not extended, the petitioner will be put to hardship. Hence, this petition.

3. The respondents No.1(a) and (b) have appeared through their counsel along with memo stating no objection to allow the petition. In spite of service of notice, respondent No.1(c) and (d) have remained absent.

4. Heard the arguments.

5. The points arise for the consideration are;

1. Whether there are grounds to extend the time for completion of arbitration proceedings under Section 29A(5) of the Arbitration and Conciliation Act, in AC. No.127/2023?

2. What Order?

6. My findings on the above points are as under:

Point No.1 :: In the **Affirmative**,

Point No.2 :: As per final order  
for the following:

### **REASONS**

**7. Point No.1:** At the outset it is important to extract Section 29A(5) of Arbitration and Conciliation Act, which runs thus:-

**“Section 29A(5):-** The extension of period referred to in sub-section (4) may be on the application of any of the parties and may be granted only for sufficient cause and on such terms and conditions as may be imposed by the Court”.

Hence, it is clear that the extension of time for conclusion of Arbitration Proceedings can be made on the applications of the parties and if proper reason or sufficient cause is shown for the delay, Court may impose conditions while allowing the application or extending the period.

8. The certified copies of the orders passed by this Court on 12.9.2025 and 24.11.2025 and e-mail sent by the Arbitrator in AC No.127/2023 show that this Court has passed order on 24.11.2025 and extended 6 months time that was upto 11.3.2026. After the said order, the Arbitrator reheard the matter on 31.1.2026 and reserved the matter for orders. In the meanwhile, the Arbitrator has sent an e-mail stating that due to cardiac issue, he was advised to take rest for few weeks and expressed his

inability to pass award within the time i.e., before 11.3.2026. The said e-mail is reproduced here below, which reads thus:-

“Due to cardiac issue, I am implanted with two coronary stents two weeks ago and is advised rest for few more weeks with further medical tests and medication as the issue still persists, little. Therefore, I being not able to proceed further with the task of completing the award within the mandate i.e., before 11<sup>th</sup> of March 2026, it is requested to communicate these facts to the parties/learned counsel, so that they can move the jurisdictional Court for further extension of time by another four to five months from 11.03.2026 for the reasons stated and inform the centre the action taken so far to enable me to proceed further”.

9. Further, it is pertinent to note here that, the respondents 1[a] and 1[b] have filed a memo stating no objection to allow the petition.

10. As discussed supra, since Arbitral Proceedings in AC 127/2023 were not completed within the mandated time, and hence rightly petitioner has approached the Court in

order to get the time, prescribed for disposal of Arbitral Proceedings extended.

11. Considering the above discussed facts, I opine that circumstances are beyond the control of the parties and delay has been caused in this case. Hence, extension of time for completion of Arbitral Proceedings can be granted. Therefore, Point No.1 has been answered in the **Affirmative.**

**12. POINT No.2:** For the reasons stated above, I proceed to pass the following:

### **ORDER**

The petition filed by the petitioner under Section 29 of the Indian Arbitration and Conciliation Act 2019, is hereby **allowed.**

Consequently, time is further extended for a period of 6 months from 12.03.2026 for completion of Arbitral proceedings between the parties pending before learned sole Arbitrator in AC. No.127/2023.

Office to issue soft copy of the Order  
to both the sides by e-mail.

(Typed to my online dictation by the Stenographer Gr-III on Computer and after corrections, signed and then pronounced by me in open Court on this the **1<sup>st</sup> day of July 2026**)

**(USHARANI),**  
Prl. District & Sessions Judge,  
Mysuru.