

# Practice Direction

Date: 05 Sept, 2019

Item No.	Title	Description
1.	To discuss the issue of fixing a time frame for a) completion of pleadings by the parties b) for deposit of fee by the parties with DIAC.	<p>After due deliberations, it was resolved that:</p> <p>(a) within 7 days of receipt of order of reference under Section 11 of the Arbitration and Conciliation Act, 1996 by DIAC or within 7 days of receipt of request for arbitration, a communication be sent to the parties informing the parties of the following:</p> <p>“The Statement of Claim, if not filed with request for arbitration, is required to be filed within 30 days of receipt of the said communication with advance copy to the other party/ies”.</p> <p>(b) the party making the Statement of Claim first shall be treated, for the purpose of description of the parties, as the Claimant;</p> <p>(c) if neither party files the Statement of Claim within the said period of 30 days, either party may apply to the Coordinator for extension of time by not more than 15 days for filing the Statement of Claim and the Coordinator, on sufficient cause being established, shall be entitled to extend the time for filing the Statement of Claim by not more than 15 days;</p> <p>(d) if within the said time of 15 days no Statement of Claim is received, the reference/request for arbitration, as the case may be, shall be treated as closed and no further communications in relation thereto shall be entertained. The parties in such case may avail of their available remedies;</p> <p>(e) on a Statement of Claim being made within the time aforesaid,</p>

the opposite party may file reply along with Counter-Claim, if any, within further period of 30 days from the date of receipt of copy of Settlement of Claim, with advance copy to the claimant;

- (f) the reply to the Counter-Claim, if any and/or rejoinder is required to be filed within further period of 30 days from the date of receipt of copy of counter claim;
- (g) the aforesaid time for filing reply/Counter-Claim is extendable by a period of not more than 15 days, on sufficient cause thereof being shown to the satisfaction of the Coordinator;
- (h) if no reply to the Counter-Claim or rejoinder to the reply is filed within the time aforesaid, the right to file the same shall stand closed, without any further order and the matter shall be proceeded further;
- (i) the rejoinder, if any required to the reply to the Counter-Claim be filed within yet further period of 30 days. No extension is permitted for filing the same and the right to file such rejoinder shall stand closed on expiry of 30 days, without any further order;

It is further resolved that the Coordinator, shall within 7 days of receipt of Statement of Claim, send a communication to the parties intimating the Arbitrator's fee including administrative expenses/miscellaneous expenses in accordance with the Rules and demanding the same from the parties within 30 days of receipt of such communication and the parties in the said communication be further informed that on non-payment within 30 days extendable by 15 days, on sufficient cause being shown to the satisfaction of the Coordinator, **the reference/request for arbitration, as the case may be, shall be treated as closed and no further communications in relation thereto shall be entertained. The parties in such case may avail of their available remedies.**