

(2020) 04 DEL CK 0080

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.) (COMM.) No. 106 Of 2020,
Miscellaneous Application No. 3695 Of 2020

Bansal Infratech Synergies Limited

APPELLANT

Vs

Gail India Limited

RESPONDENT

Date of Decision : 15-04-2020

Acts Referred:

Arbitration and Conciliation Act, 1996 — Section 29A(5)

Citation : (2020) 04 DEL CK 0080

Hon'ble Judges : Rajnish Bhatnagar, J

Bench : Single Bench

Advocate : Divyakant Lahoti, Rishi Raj

Final Decision : Allowed

Judgement

Rajnish Bhatnagar, J

The hearing has been conducted through Video Conferencing.

I.A. No. 3695/2020 (Exemption)

1. Allowed, subject to all just exceptions.

2. Application stands disposed of.

O.M.P. (MISC.) (COMM.) 106/2020

3. Issue notice. Mr. Rishi Raj, learned counsel for the respondent accepts notice.

4. This is a petition under Section 29A(5) of the Arbitration and Conciliation Act, 1996 seeking an extension of time for completion of Arbitral Proceedings and passing of Award.

5. Disputes having been arisen between the parties with respect to the Civil and Structural Works for LLDPE/HDPE for GAIL Petrochemical Complex-II, Pata (U.P.), therefore, the Learned Arbitrator was appointed by this Court vide order dated

16th March, 2018 in Arb.P.No. 842/2017. The learned Arbitrator entered upon reference on 16th April, 2018.

6. Statutory period of 12 months expired on 15th April, 2019. By an order dated 11th February, 2019, by mutual consent of the parties, time was extended by a period for six months, which expired on 15th October, 2019.

7. By an order dated 15th October, 2019, by mutual consent of the parties, time was extended by a further period of six months, which expired on 14th April, 2020.

8. Learned counsel for the petitioner submits that the arguments in the present matter have been concluded. However, despite the arguments having been concluded in the present matter, the connected matter pertaining to the contract of "LLDPE/HDPE Project" is yet to be heard. It was orally submitted by the learned counsel for the parties that looking into the Covid-19 Pandemic, the time for completion of Arbitral Proceeding and passing of the Award be extended for a further period of six months.

9. Learned counsel appearing for the respondent, on instructions, submits that he has no objection to the time being extended.

10. With the consent of the parties, the time is extended for completion of Arbitral Proceedings and passing of the Award by a period of six months from 14th April, 2020.

11. Petition is allowed in the aforesaid terms.