
(2020) 01 DEL CK 0318

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.)(COMM.) No. 513 Of 2019

CEC-Sam India Jv

APPELLANT

Vs

Delhi Metro Rail Corporation Limited

RESPONDENT

Date of Decision : 23-01-2020

Acts Referred:

Arbitration and Conciliation Act, 1996 — Section 29A(1), 29A(3), 29A(4), 29A(5)

Citation : (2020) 01 DEL CK 0318

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Vasundhara Nayyar, Tarun Johri, Ankit Saini

Final Decision : Allowed

Judgement

Jyoti Singh, J

1. Issue notice.

2. Mr. Tarun Johri, Advocate enters appearance and accepts notice on behalf of the respondent. He submits, on instructions from the respondent, that the respondent has no objection to the time being extended.

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

4. The Arbitral Tribunal entered upon reference on 12.06.2018. Statutory period of twelve months under Section 29A(1) of the Act expired on 11.06.2019.

5. Learned counsels for the parties jointly submit that in the interregnum, the Arbitral Tribunal had extended the time by a period of six months under Section 29A(3) of the Act, although formal order in this regard has not been placed on record. The extended time of six months expired on 11.12.2019. Attention of this Court is drawn to the order passed by the Tribunal on 21.11.2019 wherein the Tribunal has recorded that the parties would approach the High Court for seeking

extension of time for four months beyond 11.12.2019.

6. Learned counsels for the parties submit that the arguments have concluded and only the Award remains to be passed. An extension of four months is sought for passing the Award.

7. With the consent of the parties, time for passing the award is extended by a period of four months from today. Period between 12.12.2019 to 22.01.2020 is regularised.

8. The petition is allowed in the aforesaid terms.