

(2022) 02 DEL CK 0086

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.)(COMM.) No. 32 Of 2022,
Miscellaneous Application No. 2426 Of 2022

Dalmia Cement (East) Limited

APPELLANT

Vs

Jaiprakash Associates Limited

RESPONDENT

Date of Decision : 14-02-2022

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 29A

Citation : (2022) 02 DEL CK 0086

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Rishi Aggarwala, Pawan Upadhyay, Gaurav Pathak, Rajesh Chettri

Final Decision : Disposed Of

Judgement

Suresh Kumar Kait, J

1. The present petition filed under Section 29 A of the Arbitration and Conciliation Act, 1996 has been filed seeking extension of mandate of the arbitral tribunal adjudicating the disputes between the parties.

2. Pertinently, the arbitral tribunal comprising of Mr. Justice (Retd.)Arijit Pasayat, Mr. Justice (Retd.) V. N. Khare and Mr. Justice (Retd.) G.S.

Singhvi was constituted on 07.07.2018 and the pleadings were completed on 09.03.2021.

3. It has been brought to the notice of this Court that on 24.12.2019 on an application filed by the petitioner [in OMP (Misc) (COMM) 541/ 2019] the mandate of the tribunal was extended till 31.07.2020 and thereafter, by virtue of Honâ??ble Supreme Courtâ??s order in Writ Petition (Civil) No. 3

of 2020, the limitation period stood extended. It is prayed that the time to render the Award be extended till 30.06.2022.

4. Notice issued.

5. Mr. Pawan Upadhyay, learned counsel appearing on behalf of respondent, accepts notice and supports the prayer made in this petition.

6. In view of the above, the time for preparing and pronouncing the Award by the Arbitral Tribunal is extended upto 30.06.2022.

7. With aforesaid, the present petition and pending application are accordingly disposed of.