
(2020) 01 DEL CK 0110

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.)(COMM.) No. 548 Of 2019

Gail (India) Ltd

APPELLANT

Vs

Pioneer Gas Power Ltd.

RESPONDENT

Date of Decision : 06-01-2020

Acts Referred:

Arbitration & Conciliation Act, 1996 — Section 16, 19, 23, 25, 29A(4)

Citation : (2020) 01 DEL CK 0110

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Sagar Chauhan

Final Decision : Allowed

Judgement

Jyoti Singh, J

O.M.P.(MISC.)(COMM.) 548/2019

1. The present petition has been filed under Section 29A(4) of the Arbitration and Conciliation Act, 1996 (Act) seeking extension of time for completion of the arbitral proceedings and passing of the Award.
2. Disputes had arisen between the parties with respect to a Gas Transmission Agreement (GTA) dated 08.09.2015.
3. The matter was referred to Arbitration and the learned Sole Arbitrator entered upon reference on 20.04.2018.
4. The first hearing of the arbitration took place on 24.05.2018.
5. The respondent filed an application under Section 16 of the Act challenging the jurisdiction of the Arbitrator and after hearing the arguments, the Arbitrator has reserved the order.
6. With the consent of the parties, vide order dated 11.10.2018, the Arbitral

Tribunal extended the period for passing the award by six months.

7. It is also averred that currently three miscellaneous applications under Sections 19, 23 and 25 of the Act are listed for arguments. Vide order dated

21.11.2019, the next date of hearing fixed by the Arbitral Tribunal is 04.01.2020. Learned counsel for the petitioner, however, submits that the said

date has been cancelled and the next date of hearing fixed by the Arbitral Tribunal is 08.01.2020.

8. Learned counsel for the petitioner has drawn the attention of this Court to the order dated 21.11.2019 passed by the Arbitral Tribunal regarding the

consent of the parties that they would approach the Court for extension of time for passing of the award.

9. Matter has been passed over twice. There is no appearance on behalf of the respondent. In view of the consent given by the respondent before the

Arbitral Tribunal on 21.11.2019, the present petition is allowed. The time for completion of the proceedings and passing of the award is extended by a

period of eight months with effect from 25.11.2019.

10. Petition is allowed in the aforesaid terms.