
(2020) 03 DEL CK 0024

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.)(COMM.) No. 90 Of 2020

Goyal Mg Gases Pvt Ltd

APPELLANT

Vs

Jayaswal Neco Industries Limited

RESPONDENT

Date of Decision : 04-03-2020

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 29A(1), 29A(4)

Citation : (2020) 03 DEL CK 0024

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Simran Mehta, Rohit Puri, Raus Bharuka

Judgement

Jyoti Singh, J

I.A. 3051/2020

Exemption allowed subject to all just exceptions.

Application stands disposed of.

O.M.P.(MISC.)(COMM.) 90/2020

1. Issue notice.
2. Mr. Raus Bharuka, Advocate, enters appearance on behalf of the respondent and accepts notice.
3. Present petition has been filed under Section 29A(4) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as "Act") seeking extension of time for completion of the arbitral proceedings and passing of the Award.
4. Pursuant to the disputes having arisen between the parties, the Arbitral Tribunal was constituted. A substitute Arbitrator was appointed on

06.11.2017 and he entered upon reference on 27.08.2018.

5. Statutory period of twelve months under Section 29A(1) of the Act expired on 26.08.2019. The parties consented to extend the mandate of the

Arbitrator by a period of six months and the period was extended by an order dated 15.07.2019. Extended period expired on 26.02.2020.

6. Mr. Raus Bharuka, Advocate, appearing on behalf of the respondent, on instructions from the respondent, submits that he has no objection to the time being extended.

7. Learned counsels for the parties jointly submit that the issues have been framed by the learned Arbitrator on 18.11.2019 and all the interim applications have also been disposed of and the proceedings are now at the stage of filing of the evidence by the Claimant.

8. With the consent of the parties, time for completion of the proceedings and passing of the award is extended by a period of six months from 04.03.2020.

9. Period from 26.02.2020 to 03.03.2020 is hereby regularized.

10. Petition is allowed in the above terms.

11. Copy of this order be given dasti under the signatures of Court Master.