

(2020) 02 DEL CK 0192

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.)(COMM.) No. 59 Of 2020

Hindustan Construction Company Limited (HCC)

APPELLANT

Vs

Indian Strategic Petroleum Reserves Limited (ISPRL)

RESPONDENT

Date of Decision : 11-02-2020

Acts Referred:

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

Citation : (2020) 02 DEL CK 0192

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Abhay Raj Verma, Priyanka Ghosh, Laxmi Chauhan, Ritesh Isaac, Lavina Ahuja, Aakrit Aditya Sharma

Final Decision : Allowed

Judgement

Jyoti Singh, J

I.A. No. 1937/2020 (Exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

O.M.P.(MISC.)(COMM.) 59/2020

1. Issue notice.

2. Ms. Laxmi Chauhan accepts notice on behalf of respondent.

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

4. Learned counsel for the respondent, on instructions from the respondent, submits that she has no objection to the extension of time.

5. The Arbitral Tribunal entered upon reference on 29.07.2017. Statutory period of twelve months under Section 29A(1) of the Act expired on 29.07.2018. By mutual consent of the parties, time was extended by a period of six months w.e.f 30.07.2018 which expired on 30.01.2019.
6. The petitioner filed an application before this Court being OMP (Misc.)(Comm.) No. 59/2019 seeking extension of six months to conclude the proceedings. Vide order dated 13.02.2019, time was extended by a further period of six months w.e.f. 01.02.2019, which expired on 01.08.2019.
7. Another application under Section 29A of the Act, being OMP (Misc.)(Comm.) No. 335/2019 was filed, wherein this Court vide order dated 28.08.2019 extended the time w.e.f 01.08.2019, with the consent of the parties. The extended period has expired on 01.02.2020.
8. Learned counsels for the parties submit that arguments have been concluded and the proceedings are only pending for passing of the Award by the Arbitral Tribunal.
9. With the consent of the parties, time for completion of the proceedings and passing of the Award is extended by a period of three months from 02.02.2020.
10. The petition is allowed in the aforesaid terms.