

(2019) 10 DEL CK 0232

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.) No. 40 Of 2019

Shailendra Paul

APPELLANT

Vs

Mukesh Aggarwal

RESPONDENT

Date of Decision : 21-10-2019

Acts Referred:

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

Citation : (2019) 10 DEL CK 0232

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Mukul Rawal, Sushant Kumar

Final Decision : Allowed

Judgement

Jyoti Singh, J

I.A. 14560/2019

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

O.M.P. (MISC) 40/2019

1. Issue notice.

2. Mr. Sushant Kumar, Advocate, enters appearance on behalf of the respondent and accepts notice.

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

4. Disputes and differences having arisen between the parties, the Arbitration Clause in the Collaboration Agreement dated 24.10.2010 was invoked. Vide order dated 21.12.2015, a Sole Arbitrator was appointed by this Court who entered upon reference on 16.02.2016.

5. Statutory period of twelve months under Section 29A(1) of the Act expired on 15.02.2017. The Arbitral Tribunal extended the time vide its order dated 20.12.2016 for six months, which expired on 15.08.2017.
6. The parties moved this Court by filing an OMP (Misc.) No. 5/2017 and vide order dated 11.08.2017, time was extended till 16.02.2018.
7. The parties again moved this Court by filing an OMP (Misc.) No. 2/2018 and vide order dated 05.02.2018, time was extended till 17.08.2018.
8. Thereafter, vide order dated 30.08.2018 in OMP (Misc.) No. 18/2018 passed by this Court, time was extended till 16.02.2019 and vide order dated 20.03.2019 in OMP (Misc.) No. 9/2019 passed by this Court, time was extended till 31.05.2019.
9. The parties again moved this Court by filing an OMP (Misc.) No. 23/2019 and vide order dated 07.06.2019, time was extended till 30.09.2019.
10. The parties jointly submit that the arguments have been heard and only the award has to be passed. Further time till 31.12.2019 is sought for making the Award.
11. Time for passing the Award is extended upto 31.12.2019 w.e.f 30.09.2019.
12. For the reasons stated in the petition, the petition is allowed in the aforesaid terms.