
(2020) 01 DEL CK 0243

In the Delhi High Court

Case No : Original Miscellaneous Petition (MISC.)(COMM.) No. 27 Of 2020

Siemens Ltd

APPELLANT

Vs

Jindal India Thermal Power Limited

RESPONDENT

Date of Decision : 20-01-2020

Acts Referred:

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

Citation : (2020) 01 DEL CK 0243

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Shreya Munoth, Ishita Bist, Suruchi Aggarwal

Final Decision : Allowed

Judgement

Jyoti Singh, J

I.A. 739/2020

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

O.M.P.(MISC.)(COMM.) 27/2020

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

2. This is a petition arising out of an agreement between the parties dated 08.06.2010. The Arbitral Tribunal entered upon reference on 09.09.2017. Statutory period of twelve months under Section 29A(1) of the Act expired on 08.09.2018. It is submitted that during the first procedural order itself on 27.10.2017, the parties had mutually agreed to extend the time by a period of six months beyond the statutory period of six months, which expired on 8th March, 2019.

3. On 24.04.2019, this Court in OMP (Misc.)(Comm.) No. 144/2019, had extended the time till 23.01.2020.

4. Issue notice.

5. Ms. Suruchi Aggarwal, Advocate enters appearance and accepts notice on behalf of the respondent. She submits, on instructions from the respondent, that the respondent has no objection to the extension of time.

6. Learned counsels for the parties jointly submit that the proceedings are at the stage of final arguments. It is also pointed out that the matter is of a highly technical nature and there are voluminous records involved, therefore, period of nine months be granted for completion of the proceedings and passing of the award.

7. With the consent of the parties, time for completion of the proceedings and passing of the award is extended by a period of nine months from 24.01.2020.

8. The petition is allowed in the aforesaid terms.