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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO(OS) 258/2016 & CM No.32471/2016**

BHARAT SANCHAR NIGAM LIMITED Appellant

Through: Ms Maneesha Dhir with Mr Abhishek
Kumar, Advocates

versus

PERCEPT ADVERTISING LIMITED Respondent

Through

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **07.09.2016**

In view of the clear provisions of Section 34 (3) of the Arbitration and Conciliation Act, 1996 an application for setting aside of an arbitral award can be made only within three months from the date on which the party making the application had received the award. Even as per the proviso thereto, if the court is satisfied that the applicant was prevented by sufficient cause from making the application within the said period of three months, the court may entertain the application within a further period of 30 days, but not thereafter. In the present case, the award was received by the appellant on 10.10.2014 whereas the petition under Section 34 was filed on 30.06.2015. This is well beyond the period of three months plus the further period of 30 days as provided in the proviso to Section 34 (3).

It is well settled that no application under Section 34 can be entertained after this period. Consequently, the learned Single Judge was absolutely correct in dismissing the application under Section 34 of the Arbitration and Conciliation Act, 1996. There is no merit in this appeal. The same is dismissed.

BADAR DURREZ AHMED, J

SEPTEMBER 07, 2016/ns

ASHUTOSH KUMAR, J