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

+ O.M.P. (COMM) 477/2016

CENTRAL WAREHOUSING CORPORATION Petitioner

Through: Mr Maninder Singh, ASG with Mr
Shaiwal Srivastava, Advocates.

versus

WORLD'S WINDOW INFRASTRUCTURE &
LOGISTICS LIMITED

..... Respondent

Through: Mr Amit Sibal, Senior Advocate with
Mr Prashant Mehta and Mr Gaurav
Malik, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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22.12.2016

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(i) allow the present petition and pass an order granting extension of time, at this stage equivalent to the time from 07.03.2016" till the date on which the arbitration proceedings are resumed and any further time which may become necessary for the conclusion of the Arbitration proceedings.”

2. The petitioner states that the arbitration clause was invoked by the petitioner on 04.01.2016 and accordingly, the arbitral proceedings commenced on 05.01.2016, when the said notice was received by the respondent.

3. Mr Sibal, learned senior counsel appearing for the respondent states that there are serious disputes between the parties whether the arbitral

proceedings could at all be commenced. He further submitted that the petitioner had filed an application under Section 8 of the Act in a suit [being Civil Suit No.120/2016] filed by the respondent before the Civil Judge(Senior Division), Ghaziabad and the same was rejected. The petitioner had appealed against the said decision, which is pending.

4. The learned counsel for the parties further state that by virtue of an order passed by the Civil Judge(Senior Division), Ghaziabad, the arbitral proceedings are stayed.

5. Mr Sibal further states that the respondent has no objection if the time period for conclusion of the proceedings as prayed for by the petitioner is extended without prejudice to rights and contentions of the respondent herein.

6. In view of the fact that the arbitral proceedings have been stayed, it is necessary that the time period for making the award be extended. Accordingly, time for making the award is enlarged to a period of six months after the arbitration proceedings are resumed.

7. It is clarified that nothing stated herein shall be construed as an expression of opinion on the question as the maintainability of the arbitral proceedings and the respondent is not precluded in any manner from contesting the same.

8. The petition is disposed of.

VIBHU BAKHRU, J

DECEMBER 22, 2016
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