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

+ **O.M.P.(MISC.)(COMM.) 30/2017**

JMC PROJECTS (INDIA) LTD. & ANR..... Decree Holder

Through **Ms.Gunika Gupta, Mr.Karan Luthra**
and **Ms.Niyati Kohali, Advs.**

versus

MRT SIGNALS LTD.

..... Judgement Debtor

Through **Mr.Pratap Singh Nijar, Adv.**

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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25.09.2017

IA Nos.11210-11211/2017

Exemption allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 30/2017

1. This is a petition filed under section 29A(4) & (5) of the Arbitration and Conciliation Act, 1996 seeking an order for extending the time by a period of four months for conclusion of the arbitration proceedings.

2. Some of the relevant facts are that on 17.6.2016 this Court had appointed Justice (Retd.) V.K.Shali as the Sole Arbitrator to adjudicate the dispute between the parties. On 11.7.2016 the learned Arbitrator entered into reference. On 25.3.2017 arguments were heard and the Award was reserved. Before the learned Arbitrator a request was sent vide e-mail dated 12.09.2017 by the petitioners on 12.9.2017 for extension of time for a period of six months under Section 29(A)(3) of the Act. The respondent vide email

dated 13.09.2017 objected to extension of time.

3. Learned counsel for the respondent has entered appearance and submits that he has instructions to oppose the extension of time and seeks to file a reply on that account.

4. A perusal of the email dated 13.9.2017 sent by the respondent objecting to the extension of time by mutual consent is on record. There is no specific reason given as to why the respondents are objecting to the extension of time. Even today, it is submitted that they have instructions to oppose the present petition. There are no cogent reasons being given as to why the extension is being opposed.

5. In my opinion, in these facts and circumstances no purpose is served by adjourning the matter for the purpose of filing of a reply by the respondent.

6. Considering the fact that the arbitration proceedings have almost reached the conclusion, inasmuch as the learned Arbitrator has after hearing arguments reserved the Award, it would be in the interest of justice that time be extended for a period of four months. Accordingly, time is extended by four months to conclude the arbitration proceedings.

7. Petition stands disposed of. All pending applications, if any, also stand disposed of.

JAYANT NATH, J

SEPTEMBER 25, 2017

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