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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

ARBITRATION PETITION NO. 717 OF 2018

Manipal Technologies Ltd ...Petitioner

Versus

Mapple Edusoft Pvt. Ltd. ...Respondent

Mr. Dakshesh Vyas, i/b Jayesh Gawde, for the Petitioner.

Mr. Suraj Dessai Almeida, for the Respondent.

CORAM : A. K. MENON, J.

DATED : 17th September, 2018.

P.C.:-

1. This petition seeking extension of time under Section 29A of the Arbitration and Conciliation Act, 1996 ("the Act", for short). Both Counsel state that parties have made allegations against each other which they now seeking to withdraw by consent. Accordingly I record that all allegations now stand withdrawn. The learned Counsel for the parties state that the pleadings have been completed and claimant's 1st witness has been cross-examined. The claimant proposes to examine one more witness, whose Affidavit of evidence has already been filed.

2. The learned Counsel on behalf of the Respondent states

that the Respondent proposes to examine Mr. Anurag Sinsiwar and if so advised one Tanuj Goswami. Affidavit of the Respondent's 1st witness has already been filed. In the circumstances, Mr. Almeida states that in the event the Respondent intends to examine Mr. Goswami, his Affidavit of evidence will be filed within four weeks from today.

3. It is stated that presently some dates have been fixed subject to extension of time being granted. The parties Counsel tender a communication dated 6th August, 2018, from the Arbitrator whereby parties are agreed to schedule of dates commencing from September – 2018 to April - 2019 as follows:

(a) September 2018 (4 days)	(i)	5 th – 6 th
	(ii)	28 th – 29 th
(b) October 2018 (4 days)	(i)	19 th – 20 th
	(ii)	23 rd – 24 th
(c) November 2018 (4 days)	(i)	1 st – 2 nd
	(ii)	27 th – 28 th
(d) December 2018 (5 days)	(i)	14 th – 15 th
	(ii)	17 th – 18 th & 19 th
(e) January 2019 (4 days)	(i)	10 th – 11 th
	(ii)	15 th – 16 th
(f) February 2019 (4 days)	(i)	14 th – 15 th
	(ii)	19 th – 20 th
(g) March 2019 (4 days)	(i)	15 th – 16 th
	(ii)	19 th – 20 th
(h) April 2019 (4 days)	(i)	19 th – 20 th
	(ii)	23 rd – 24 th

4. It is stated by Mr. Almeida that he will not be able to continue the cross-examination in September but undertakes to continue cross-examination on other dates set out subject to extension to be granted.

5. In the meantime, the learned Counsel for the Petitioner points out that Affidavit-in-reply of Rajni Dahiya has filed on 13th July, 2018 to this petition, it is stated that cross-examination of claimants 1st witness will be completed within two to three dates and cross-examination of 2nd witness will be completed in a couple of days. In view of the above, cross-examination of claimant's 1st witness will be completed by 19th, 20th and 23rd of October, 2018 and cross-examination of 2nd witness will be completed on or before 1st and/or 2nd November, 2018. So that recording of claimant's witness should therefore be concluded on those dates.

6. As far as the Respondent's witness is concerned, cross-examination of Respondent's two witnesses shall commence from 22nd November, 2018 onwards so that the cross-examination be completed latest by 15th February, 2019. That will leave sufficient time for the parties to conclude their submissions and for the Arbitrator to make the award.

7. In view of the above, I pass the following order;

: Order :

- (i) Time is extended by a period of six months from today.
- (ii) Petition is disposed in the above terms.
- (iii) No costs.

[A. K. MENON, J.]

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