

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO. 401 OF 2017
Tata Capital Financial Services Ltd. Petitioner
VERSUS
Kalpataru Vanijya Private Limited & Ors. Respondents

Ms.Radhika Dixit, i/b. MDP & Partners for the Petitioner.

None for the Respondents.

CORAM : R.D. DHANUKA, J.

DATE : 19th JANUARY, 2018

P.C.

Mr.Tamboly, learned counsel for the petitioner states that the respondents have been served and tendered affidavit of service. None appeared for the respondents when the matter was called out. No affidavit in reply is filed.

2. By this petition filed under section 29(A) of the Arbitration and Conciliation Act, 1996, the petitioner seeks extension of time to enable the learned arbitrator to render an award. The matter is at the evidence stage. The respondents have not even filed Vakalatnama before the learned arbitrator.

3. I have perused the grounds raised in the petition and I have heard learned counsel for the petitioner. The petitioner has made out a

case for grant of extension of time. 12 months period has expired on 9th June, 2017. Time to make an award is extended by one year from 10th June, 2017. It is made clear that no further extension would be granted.

4. The petitioner is directed to convey this order to the respondents as well as to the learned arbitrator.

5. Both the parties are directed to co-operate with each other and with the learned arbitrator in rendering an award within the extended period.

6. Application is allowed in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]