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

+ O.M.P.(MISC.)(COMM.) 28/2018

**BARASAT KRISHGAR EXPRESSWAYS
LIMITED**

..... Petitioner

Through Mr. Amitabh Chaturvedi and Mr.
Himesh Thakur, Advs.

versus

**NATIONAL HIGHWAYS AUTHORITY OF
INDIA**

..... Respondent

Through Mr. Ankur Mittal and Mr. Akshay
Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **13.09.2018**

1. A perusal of the captioned petition would show that the prayer for extension of time arises in somewhat peculiar circumstances. Although the Arbitral Tribunal already stands constituted, it has not made much progress despite the fact that nearly eighteen (18) months have passed.
2. This aspect of the matter was recorded in the order dated 23.5.2018.
3. Counsel for the parties had, in fact, conveyed to the Court that a former Judge or a person instructed in law should be appointed as the Presiding Arbitrator as certain legal issues arise in the matter.
4. Since then, two dates have passed.

5. Fortunately, both the counsel today have agreed before me that Hon'ble Mr. V.K. Gupta, former Chief Justice, High Court of Uttarakhand, could be appointed as the Presiding Arbitrator.
6. To be noted, Hon'ble Mr. Justice V.K. Gupta is also on the SAROD Panel of the respondent.
7. Furthermore, counsel for the parties inform me that they have telephonically obtained the consent of the Hon'ble Mr. Justice V.K. Gupta to act as a Presiding Arbitrator and that he would be paid fee as per the SAROD Schedule.
8. In these circumstances, Hon'ble Mr. Justice V.K. Gupta is appointed as the Presiding Arbitrator. The learned Presiding Arbitrator will be paid fees as per the SAROD Schedule.
9. I am also informed by the counsel for the parties that the matter is still at the stage of pleadings.
10. Counsel for the parties, thus, pray that the time for rendering the award be extended by a period of one year.
11. It is ordered accordingly. The award will be rendered and published on or before 13.9.2019.
12. The petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

SEPTEMBER 13, 2018

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