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

+ **O.M.P.(MISC.)(COMM.) 60/2018**

AMR INDIA LTD

..... Decree Holder

Through Mr Rajiv Kumar, Advocate.

versus

NTPC LTD

..... Judgement Debtor

Through Mr Puneet Taneja, Ms Shaheen,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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23.04.2018

IA No. 5459-5460//2018

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

O.M.P.(MISC.)(COMM.) 60/2018

3. The petitioner has filed the present petition under Section 29A of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying as under:-

“grant extension of nine(09) months period to the Arbitral Tribunal, as proper and sufficient time to adjudicate upon the voluminous pleadings, claims & counter claims of the parties, and pronouncing a reasoned award.”

4. It is stated that the appointing authority of NTPC has appointed a sole arbitrator by a letter dated 03.03.2017 (hereafter 'the Arbitral Tribunal') and the arbitral proceedings are yet inconclusive.
5. Mr Taneja, the learned counsel appearing for the respondent (NTPC)

states that although the Arbitral Tribunal has been holding hearings and has been acting with due dispatch, the matter has been delayed solely on account of the petitioner.

6. It is apparent from the above that neither of the parties has any grievance in the manner in which the Arbitral Tribunal has been conducting the arbitral proceedings. Insofar as the contention that the petitioner is delaying the proceedings, it would be open for the Arbitral Tribunal to take effective steps in this regard.

7. This Court is informed that the pleadings in the matter are complete and the respondent has filed the written submissions. The learned counsel appearing for the petitioner states that the evidence is yet to be recorded and the petitioner may also require to amend the claim to include the claim of encashment of the bank guarantee.

8. In view of the above submissions, it is apparent that the Arbitral Tribunal would require sufficient time to conclude the proceedings. The petition is, accordingly, allowed and the time for making the award is extended for a further period till 31.12.2018.

9. The petition is disposed of.

10. Order *dasti* to both the parties.

VIBHU BAKHRU, J

APRIL 23, 2018

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