

\$~26

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

+ O.M.P.(MISC.)(COMM.) 81/2018

TD TOLL ROAD PRIVATE LIMITED Petitioner
Through Mr.Hasan Murtaza, Adv.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA Respondent
Through Mr.Sumit Gupta, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **11.05.2018**

IA No.6566/2018 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 81/2018

Issue notice.

Notice is accepted by Mr.Sumit Gupta, Advocate on behalf of the respondent.

This petition under Section 29A(5) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') has been filed by the petitioner seeking extension of time for making of the Arbitral Award by the Arbitral Tribunal adjudicating the disputes that have arisen between the parties in relation to the Concession Agreement dated 19.07.2007.

I am informed that the Arbitral Tribunal has already concluded the hearing of the oral submissions and the Arbitral Award is expected in the near future. In the proceedings held before the Arbitral Tribunal on

05.03.2018, it was recorded that it was the respondent who required further time to complete its oral submissions and file a written synopsis and it was absolutely necessary that the time for making of the Award is extended upto 07.09.2018. The respondent, however, vide its letter dated 06.03.2018 agreed to grant an extension of time for making of the Award only by a period of two months. The same has expired on 08.05.2018. In the said letter, there is no reason given for not extending the time by a period of six months as provided in Section 29A(3) of the Act.

In view of the above and having regard to the conduct of the arbitral proceedings, I extend the time for making of the Arbitral Award till 07.09.2018.

The petition is allowed in the above terms, with no order as to cost.

Dasti.

NAVIN CHAWLA, J

MAY 11, 2018/Arya