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

+ O.M.P. (COMM) 296/2018 & I.A. Nos. 9159/2018, 9160/2018 and
9161/2018

NATIONAL HIGHWAY AUTHORITY OF INDIA THROUGH ITS
PROJECT DIRECTOR & ANR. Petitioners

Through: Mr. Narender Hooda, Senior
Advocate with Ms. Nida Doon, Adv
versus

TARLOCHAN SINGH Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER
ORDER
% **17.07.2018**

I.A. No. 9158/2018 (Exemption)

1. Allowed, subject to just exceptions.

**O.M.P. (COMM) 296/2018 & I.A. Nos. 9159/2018, 9160/2018 and
9161/2018**

2. The captioned petition under Section 34 of the Arbitration and Conciliation Act, 1996 has been filed along with, application for condonation of delay in filing the said petition, application for grant of stay *qua* the operation of the award, and an application for condonation of delay in re-filing the said petition.

3. It is not disputed that the present petition was filed on 19.5.2018 qua the award dated 07.09.2017.
4. I am also informed that the award dated 07.09.2017 was received by the petitioner on the same date.
5. I am also informed that the award was corrected under Section 33 of the Arbitration and Conciliation Act, 1996 on 10.10.2017.
6. In view of the aforesaid, it is clear that even if date of award is taken to be 10.10.2017, it is beyond the period of limitation as prescribed under Section 34(3) of the 1996 Act.
7. Accordingly, the delay of 127 days in filing the award cannot be condoned and this petition cannot be entertained.
8. Consequently, the petition and captioned applications are dismissed.

RAJIV SHAKDHER, J

JULY 17, 2018

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