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

+ O.M.P.(MISC.)(COMM.) 114/2018

MOORGATE INDUSTRIES INDIA
PVT. LTD.

..... Petitioner

Through: Mr Puneet Singh Bindra and Ms
Akshita Gupta, Advocates.

versus

JINDAL STAINLESS LTD.

..... Respondent

Through: Mr Nattasha Garg and Mr Chetan
Lokur, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **25.05.2018**

1. The petitioner has filed the present application under Section 29A of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that the mandate of the Arbitral Tribunal be extended for a further period of six months from 24.05.2018.
2. The learned counsel appearing for the respondent states that there are serious disputes between the parties as to whether the arbitral proceedings should be terminated under Section 32 of the Act. The learned counsel appearing for the petitioner states that the said issue pertains to the claims and not to the counter claims raised by the petitioner before the Arbitral Tribunal. At this stage, this Court is not required to examine the contentious issues between the parties.
3. The learned counsel appearing for the respondent submits that by an order passed on 31.01.2018, the Arbitral Tribunal has adjourned the matter

sine die in view of the earlier order passed on 28.12.2017 directing the claimant (respondent) to move to this Court for impleadment of the necessary and proper party.

4. It is apparent from the above that the arbitral proceedings have been delayed on account of the issues that have cropped up during the proceedings and are in the process of being adjudicated/resolved. In this view, the present application is liable to be allowed and the time for making the award is required to be extended for further period.

5. In view of the above, the application is allowed and the time for making the award is extended for a further period of six months from 24.05.2018.

6. The application is disposed of.

VIBHU BAKHRU, J

MAY 25, 2018
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