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

+ **O.M.P.(MISC.)(COMM.) 118/2018**

JUBILANT FOODWORKS LIMITED Petitioner

Through Mr Sanjeev Narula, Ms Kaanan Gupta,
Advocates.

versus

ICETRAIL LOGISTICS PRIVATE
LIMITED

..... Respondent

Through Mr Paritosh Budhiraja, Mr Harvir Singh
Taneja, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **28.05.2018**

IA No. 7484/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. 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 time for making the award be extended for a period of one year from 02.04.2018.
4. The learned counsel for the petitioner states that the delay in arbitral proceedings is not attributable to the arbitral tribunal. The petitioner had taken four months time to file its statement of claims and the respondent has been taking time thereafter.
5. The learned counsel appearing for the respondent also states that the

delay is primarily on account of both the parties.

6. It is thus apparent that the delay in the proceedings is not on account of the Arbitral Tribunal not being able to devote sufficient time. Accordingly, with the consent of the parties, the time for making the arbitral award is extended for a further period of one year from 02.04.2018.

7. At this stage, the learned counsel for the parties state that there is a possibility to resolve the disputes amicably and the parties may be referred to arbitration. In view of this request, the parties are directed to appear before Delhi High Court Mediation and Conciliation Centre (DHCMCC) on 04.06.2018 at 2.30 p.m.

8. The parties may request the arbitral tribunal to defer the proceedings till 04.07.2018 to enable the parties to make an endeavour to resolve their disputes amicably. It is clarified that if the parties are unable to resolve their disputes before the DHCMCC before 05.07.2018, they shall participate in the arbitration proceedings without seeking any unnecessary adjournments.

9. The application is disposed of.

VIBHU BAKHRU, J

MAY 28, 2018

pkv