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

+ O.M.P.(MISC.)(COMM.) 120/2018

RAJESH GUPTA

..... Petitioner

Through: Ms.Anusuya Salwan, Ms.Nikita
Salwan & Mr.Abhishek Pundir, Advs.

versus

PRIME ALUMINIUM & ORS.

..... Respondents

Through: Mr.Anoop Prakash Awasthi &
Mr.Praveen Gupta, Advs. For R-2.
Mr.Shiv Charan Garg & Mr.Imran
Khan, Advs. For R-3.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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23.07.2018

This petition has been filed under Section 29A(5) of the Arbitration and Conciliation Act, 1996 seeking extension of time for making of the Arbitral Award by the Sole Arbitrator adjudicating the disputes that have arisen between the parties in relation to the Partnership Deed dated 28.07.2008 and also in relation to the Retirement Deed dated 31.03.2013.

The Sole Arbitrator has been appointed by this Court by its order dated 03.10.2016 passed in ARB.P. No.306/2016.

The arbitration proceedings are being conducted under the aegis of the Delhi International Arbitration Centre.

The first proceeding in the arbitration was held by the Sole Arbitrator on 10.08.2017. Thereafter a number of proceedings have been held and the petitioner/claimant is under cross-examination.

The counsel for the respondents submits that various orders passed by the Sole Arbitrator would show that the claimant has not been pursuing its claim with expedition. This is contested by the counsel for the petitioner.

It seems from the record that the Arbitrator has been giving short dates and posting the matter for further proceedings on an expeditious basis and I am also informed that further proceedings are now fixed before the Arbitrator on 25.07.2018, 28.07.2018, 03.08.2018 and 06.08.2018 at 2:00 p.m. to 5:00 p.m. for further cross-examination of the petitioner and his other witnesses.

In view of the above, I find it to be a fit case for extending the time for making of the Arbitral Award. The time for making the Award is extended by a further period of 1 (one) year w.e.f. 19.07.2018. It is hoped that the parties would cooperate in ensuring expeditious disposal of the arbitration proceedings before the Sole Arbitrator and would not take unnecessary adjournments.

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

NAVIN CHAWLA, J

JULY 23, 2018/rv