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

+ **O.M.P.(MISC.)(COMM.) 124/2018**

MAXPOSURE MEDIA GROUP (INDIA)

PVT LTD

..... Decree Holder

Through: Mr Manik Dogra, Mr Anurag
Ahluwalia and Mr Abhigyan
Siddhant, Advocates.

versus

TCG MEDIA LTD

..... Judgement Debtor

Through: Mr Akash Srivastava and Mr Vinod
Chauhan, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **31.05.2018**

IA No.7601/2018

1. Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 124/2018

2. This is an application filed under Section 29A of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act') seeking that the time for making the arbitration award be extended as the same is expiring on 26.06.2018.

3. The learned counsel appearing for the respondent states that the respondent has no objection to the grant of the prayer made in this application. He, however, points out that the principal area of controversy would be whether the present arbitration proceedings are governed by the Act as amended by virtue of the Arbitration and Conciliation (Amendment)

Act, 2015, which came into force with effect from 23.10.2015.

4. It is pointed out that the notice invoking the arbitration was issued on 08.09.2015. However, the arbitrator was appointed on 01.12.2015. In terms of Section 21 of the Act, the arbitral proceedings would commence on the other party (respondent) receiving the notice to refer the disputes to arbitration. Thus, in this case, the arbitral proceedings commenced on the receipt of notice dated 08.09.2015.

5. By virtue of Section 26 of the Arbitration and Conciliation (Amendment) Act, 2015, it has been expressly clarified that it would not be applicable to the arbitral proceedings that had commenced prior to the said enactment coming into force. Thus, the un-amended Act (the Act) would govern the present arbitral proceedings.

6. In the aforesaid view, the present application is not necessary. The application is, accordingly, disposed of.

MAY 31, 2018
MK

VIBHU BAKHRU, J