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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 12.7.2018

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O.M.P.(MISC.)(COMM.) 151/2018

FIVE STAR CONSTRUCTIONS PVT. LTD. Decree Holder

Through: Mr. Saurabh Agarwal, Adv.

versus

ORCHID INFRASTRUCTURE PVT. LTD. Judgement Debtor

Through: Ms. Megha Mukherjee, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

RAJIV SHAKDHER, J. (ORAL)

I.A. No.8924/2018

1. Allowed, subject to jut exceptions.

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2. This is a joint petition preferred by the parties under Section 29A(4) of the Arbitration and Conciliation Act, 1996 (hereafter referred to as '1996 Act') for extension of time to conclude the arbitral proceedings.

3. As per the averments made in the petition, Mr. Padam Kant Saxena, (retired) ADJ was appointed as an Arbitrator on 27.05.2016 to adjudicate upon the dispute arising between the parties.

4. Vide order dated 17.1.2018, an extension was granted by this Court, *albeit*, for a period of six (6) months. This extension expired on 20.6.2018.

5. I am informed by the counsel for the parties that earlier for the

same purpose, that is, for seeking extension of time, an application was filed on 31.5.2018, to which, the Registry took an objection. I am further informed by the counsel for the respondent that the Registry advised the parties to instead file a petition for extension of time and hence the instant joint petition was instituted.

5.1 This petition, apparently, was filed in and about 4.7.2018.

6. Counsel for the parties inform me that the arbitration proceedings are at the stage of arguments. It is the case of the parties that since the record is voluminous, the arbitral proceedings could not be concluded in the extended time and therefore, the prayer for extending the time by two months.

7. Having regard to the overall circumstances, the time for concluding the arbitral proceedings is extended by another two months. The period of two months will commence from today.

8. The petition is disposed of in the aforementioned terms.

RAJIV SHAKDHER, J

JULY 12, 2018/pmc