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

+ O.M.P.(MISC.)(COMM.) 181/2018

BHUBANESHWAR EXPRESSWAYS PRIVATE LIMITED

..... Petitioner

Through Dr.Amit George, Mr.Priyabrat
Tripathy, Mr.Avinash Das and
Ms.Nazia Ali, Advs.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA Respondent

Through Mr.S.Ravishankar and Ms.Yamunah
Nachiar, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **17.08.2018**

This petition has been filed under Section 29A (4) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') seeking extension of time for making of the Arbitral Award by the Arbitral Tribunal adjudicating the disputes that have arisen between the parties in relation to the Concession Agreement dated 30.07.2010.

The Arbitral Tribunal was constituted on 16.05.2017 when the Society for Affordable Redressal of Disputes (SAROD) intimated the parties of the receipt of the consent of all the arbitrators to form the Arbitral Tribunal.

After the expiry of the one year period, though the parties consented to extend the term of the Arbitral Tribunal by another period of six months, however, the respondent later agreed to give the consent for extension of

time for making of the Arbitral Award for a period of three months only.

The arbitral proceedings are at the final stage as the Arbitral Tribunal having heard the arguments, only the Award remains to be passed.

The petitioner has now filed the present petition seeking further extension of time for making of the Award by the Arbitral Tribunal upto 15.11.2018. The reason for seeking extension is that there are voluminous documents which would need to be considered by the Arbitral Tribunal while passing its Award on the claims and counter claim filed by the parties.

Upon issuance of the notice, the respondent in its EC Meeting conducted on 14.08.2018 has approved the grant of consent for further extension of time for making of the Arbitral Award by a period of three months beyond 15.08.2018 and it is contended that only a formal letter of extension remains to be issued.

Keeping in view the above facts, time for making of the Award by the Arbitral Tribunal is extended by a further period of three months with effect from 15.08.2018.

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

Dasti.

NAVIN CHAWLA, J

AUGUST 17, 2018/Arya