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

+ O.M.P.(MISC.)(COMM.) 212/2018

SUNIL AGARWAL Petitioner

Through: Mr. Shivam Garg, Adv.

versus

EPICU AGRO PRODUCTS PVT LTD Respondent

Through: Mr. Kanwar H.S., Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **26.10.2018**

1. Notice in this petition was issued on 5.9.2018. Mr. Kanwar H.S. has entered appearance on behalf of the respondent.
2. Learned counsel for the respondent says that he does not wish to file a reply in the matter, as the respondent does not oppose the prayer made in the petition.
3. The record shows that this Court vide order dated 16.1.2017 passed in Arbitration Petition No.681/2016 appointed an Arbitrator in the matter. The first appearance before the learned Arbitrator was made by the parties via their respective Advocate on 8.8.2017. Since then, proceedings have reached the stage of evidence. It appears that since the statutory period of 12 months has expired, the arbitration proceedings, according to the learned Arbitrator, stood terminated.
4. To my mind, the learned Arbitrator could have called upon the parties

to mutually agree to the extension of time for conclusion of arbitration proceedings. The parties have, however, chosen to approach this Court.

5. Given the time and money, which has been invested in the proceedings, I am inclined to extend time for the conclusion of the arbitration proceedings for six months commencing with 8.8.2018.

6. The captioned petition is disposed of with the aforesaid terms.

7. *Dasti.*

RAJIV SHAKDHER, J

OCTOBER 26, 2018/pmc