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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(MISC.)(COMM.) 320/2018
ASHA ARORA & ORS.

..... Petitioners

Through: Mr. Manish Shekhari, Adv.

versus

EMAAR MGF CONSTRUCTION PVT. LTD

..... Respondent

Through: Mr. Arjun Jain, Adv.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **18.12.2018**

1 This is a petition seeking extension of time.

2 On the previous date i.e. 20.11.2018, Mr. Arjun Jain had entered appearance on behalf of the respondent. Learned counsel had sought time to seek instructions in the matter. It was made clear to the learned counsel that if instructions are received to resist the petition, a reply will be filed in the matter.

3 Mr. Jain informs me that no reply has been filed.

4 The record shows that the sole Arbitrator was appointed by the District Judge, vide order dated 22.02.2017, passed in Civil Suit bearing No.58476/2016, earlier numbered as: CS(OS) No.2013/2013.

5 Upon appointment, the Arbitrator convened the first meeting on 25.03.2017.

6 The record shows that since the arbitration proceedings could not be concluded within the statutory period of 12 months, parties agreed to extension of time by another six months. The extended

time, admittedly, has come to an end on 21.09.2018. I am informed by the counsel for the parties that the matter is at the stage of final arguments.

7 Since there is no reply filed on behalf of the respondent, there is obviously no rebuttal on record with respect to either the assertions made in the petition or the prayer sought for by the petitioner.

8 While, I do not wish to comment on the assertions made in the petition on the merits of the matter, certainly, the prayer made will have to be allowed as there is no formal rebuttal. In any event, the protestations of the learned counsel for the respondent are rather weak with regard to extension of time.

9 Accordingly, having regard to the time and money invested by the parties and given the stage at which the arbitration proceedings are positioned, I am inclined to allow the prayer. It is ordered accordingly. The time for concluding arbitration proceedings is extended by another six months, commencing from 22.09.2018.

10 Petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

DECEMBER 18, 2018

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O.M.P.(MISC.)(COMM.) 320/2018

Page 2 of 2