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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(MISC.)(COMM.) 356/2018

KALINDEE RAIL NIRMAN (ENGINEERS) (A DIVISION OF
TEXMACO RAIL & ENGINEERING LIMITED) THROUGH ITS
AUTHORISED SIGNATORY, PRAKASH CHANDRA KEJRIWAL

..... Petitioner

Through Mr. Arjun Pall, Adv.

versus

BALFOUR BEATTY GROUP LIMITED THROUGH ITS
AUTHORISED SIGNATORY MR. T.P.SABAPATHY

..... Respondent

Through Mr. Yashwant Mathur and Mr.
Abhyudai Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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27.11.2018

O.M.P.(MISC.)(COMM.) 356/2018 & I.A. No.15941/2018

1 This is a joint petition filed by the parties under Section 29-A
(4) & (5) of the Arbitration and Conciliation Act, 1996 (in short '1996
Act').

2 I am informed by the learned counsel for the parties that the
Arbitral Tribunal was constituted pursuant to an order passed by the
Supreme Court under Section 11 of the 1996 Act. I am further
informed that the Arbitral Tribunal was constituted on 04.05.2017.

3 It is the submission of the learned counsel for the parties that at
the proceeding held on 19.06.2018, the time frame for conclusion of
arbitration proceedings was extended beyond the statutory 12 months
period by another six months pursuant to consent given by the parties
in that behalf.

3.1 Consequently, the time for conclusion of arbitration proceedings expired on 04.11.2018.

4 Learned counsel for the parties says that a large part of the allotted time was spent by the Arbitral Tribunal in deciding the preliminary issue and, therefore, the need arises for moving the present application.

5 I am informed that the arbitration proceeding is presently at the stage of evidence.

6 Having regard to the submissions made by the learned counsel for the parties and given time and money invested by the parties in prosecuting the arbitration proceedings, I am inclined to extend time for concluding the arbitration proceedings by another eight months, commencing from 04.11.2018.

7 Petition is disposed of in the aforesaid terms.

8 Pending application shall stand closed.

RAJIV SHAKDHER, J

NOVEMBER 27, 2018

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