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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 408/2018**
TATA POWER DELHI DISTRIBUTION LTD.

..... Petitioner

Through Mr. S.S. Sastry and Mr. Brijesh
Tiwari, Advs.

versus

MANAK CONSTRUCTIONS PVT. LTD.

..... Respondent

Through Mr. Siddharth, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **21.12.2018**

I.A. No.17796/2018

1 Allowed, subject to just exceptions.

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2 Issue notice.

2.1 Mr. Siddharth accepts notice on behalf of the respondent. Learned counsel says that he does not wish to file a reply as the prayer made in the petition is not opposed.

3 The record shows that, one, Mr. S.K. Goel was appointed as an Arbitrator on 16.11.2015. This appointment was made by the petitioner.

4 Evidently, vide order dated 02.09.2016, passed in OMP (T) (COMM) No.59/2016, the mandate of Mr. S.K. Goel was terminated.

5 Consequently, a substitute Arbitrator was appointed, *albeit*, by the petitioner. The substitute Arbitrator is, one, Dr. Anurag Kumar Aggarwal. Dr. Anurag Kumar Aggarwal entered upon reference on

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05.10.2016. It appears that the parties mutually agreed for extension of time for concluding arbitration proceedings on 03.11.2017.

6 I am informed that after arguments were heard in the mater, the respondent filed an additional set of documents, which the learned Arbitrator permitted to be taken on record subject to payment of cost in the sum of Rs.1 lakh by the respondent in the hearing held on 01.10.2018.

7 The time for concluding arbitration proceedings expired on 17.11.2018. It is in these circumstances that the petitioner has approached this Court for extension of time.

8 Having regard to the time and money invested by the parties, I am inclined to extend the time by another four months, commencing from 17.11.2018. It is ordered accordingly.

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

RAJIV SHAKDHER, J

DECEMBER 21, 2018

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