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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
ARBITRATION PETITION NO. 631 OF 2019**

Reliance India Power Fund	...Petitioner
<i>Versus</i>	
Su-Kam Power System Ltd & Ors	...Respondents

Ms S Chaudhary, *i/b Link Legal India Law Services, for the
Petitioner.*
Mr Uzair Kazi, *i/b YM Kanchan, for Respondent No. 2.*

CORAM: G.S. PATEL, J.
DATED: 5th November 2019

PC:-

1. The petition is under Section 29-A of the Arbitration and Conciliation Act 1996. The Petitioner and Respondents Nos. 1, 2 and 4 are before the learned Sole Arbitrator. As regards Respondent No. 1, a company, I am informed that it was subjected to proceedings under the Insolvency and Bankruptcy Code and is now, in fact, in liquidation. A Liquidator has been appointed. That is not in itself a reason to refuse the extension sought.

2. By an order dated 14th December 2017 this Court appointed Mr MS Doctor, learned Senior Advocate as a sole Arbitrator. For various reasons that are now not germane, Mr Doctor was unable to

continue as an Arbitrator. By an order dated 6th February 2018 this Court appointed Mr AY Bookwala, learned Senior Advocate, in Mr Doctor's place as a sole Arbitrator. Mr Bookwala then entered upon the reference to his arbitration in February 2018. From the list of dates provided in paragraph 23 of this petition it appears that the matter has been proceeding periodically before Mr Bookwala.

3. The mandate to the Tribunal for completion of the arbitration expired on 6th February 2019. By that time parties had filed pleadings and some disclosures which were then being taken up for marking in evidence.

4. From this it is evident that both sides will need to take the matter to trial. This is likely to take some time. There is the additional question of whether, in these circumstances, an award can be made against the 1st Respondent in liquidation and who will represent the 1st Respondent before the Arbitrator.

5. Given these circumstances I am inclined to extend the time until 30th January 2021 to complete the arbitration.

6. The Petition is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)