

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 1340 OF 2019**

Kalpataru Power Transmission Ltd	...Petitioner
<i>Versus</i>	
Mansi Ganga Builders & Engineers Pvt Ltd	...Respondent

Mr Shriniket Deshpande, i/b Desai and Diwanji for the Petitioner.

**CORAM: G.S. PATEL, J.
DATED: 9th December 2019**

PC:-

1. The affidavit of service dated 9th December 2019 is taken on file. This is an application is under Section 29-A of the Arbitration and Conciliation Act. The learned sole arbitrator entered upon the reference to his arbitration on 16th June 2018. The period to complete the arbitration expired on 16th June 2019. The Respondent was a sub-contractor of the Petitioner under a work order dated 6th December 2016 which was amended on 20th December 2016. The Petitioner itself was under a contract of ONGC in regard to some oil pipe line work.

2. In the arbitration, the Respondent initially stayed away. It questioned the appointment of the arbitrator. However, despite the arbitrator adjourning the matter to enable the Respondent to take

suitable proceedings, the Respondent did nothing. Then there was a request to adjourn the arbitration saying that the parties were in mediation. That did not fructify. Ultimately, the arbitrator issued directions by his email of 9th June 2019 saying that he would proceed. This shows that the better part of one year was lost simply because the Respondent initially indicated an opposition to the arbitral appointment and then the parties were in mediation.

3. I will, in these circumstances, extend time for disposal of the arbitration by the learned sole arbitrator, Mr Mandar Soman, learned advocate of this Court, by a period of one year from today until 11th December 2020.

4. The costs of the petition may be claimed in the arbitration proceedings.

5. The petition is disposed of in these terms.

(G. S. PATEL, J)