

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO. 717 OF 2019**

Chandresh Residency Coop Housing Society Ltd	...Petitioner
<i>Versus</i>	
Asmita India Ltd & Anr	...Respondents

Ms Gayatri Nayak, *i/b RP Khobragade, for the Petitioner.*
Mr Huda Qureshi, *i/b KK Associates, for the Respondents.*

CORAM: G.S. PATEL, J.
DATED: 21st November 2019

PC:-

1. The petition is for extension of time to complete the arbitration under Section 29-A of the Arbitration and Conciliation Act 1996. An order of 15th February 2016 appointed Mr Rohaan Cama, learned advocate, as a Sole Arbitrator. He entered upon the reference to his arbitration on 18th February 2016 and fixed a schedule for the arbitral proceedings.

2. The arbitration proceeded. Parties consented to an initial extension of six months. Thereafter, by an order of 7th February 2018 in Arbitration Petition (L) No. 1404 of 2018 the parties were given a further extension of six months. That extended arbitral

mandate ended on 7th June 2019. By that time, as the petitioner points out, the cross-examination of the respondents' first witness is complete. The respondent has only one further witness.

3. In this view of the matter and since it appears that the parties have been reasonably diligent in prosecuting their respective cases before the learned Sole Arbitrator, I will extend time subject to the following conditions:

- (a) Time is extended till 30th June 2020. This is the last and final extension and there will not be another extension under any circumstances.
- (b) I request the learned sole arbitrator to exercise his authority to refuse all adjournment requests barring a complete emergency such as an accident or a medical condition.
- (c) The fact that the parties are negotiating will not be a reason to adjourn hearings scheduled by learned sole arbitrator.

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

(G. S. PATEL, J)