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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **O.M.P.(MISC.)(COMM.) 2/2019**

**AMR INDIA LTD. THROUGH IT'S MANAGING
DIRECTOR**

..... Petitioner

Through: Mr. Brijesh Kumar Guil, Adv
versus

**NTPC LTD THROUGH ITS AUTHORISED
REPRESENTATIVE**

..... Respondent

Through: Mr. Puneet Taneja with Ms. Laxmi
Kumari, Advs

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **07.01.2019**

I.A. No. 27/2019 (Exemption)

1. Allowed, subject to just exceptions.

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2. Issue notice.

3. Ms. Laxmi Kumari accepts notice on behalf of the respondent.

4. Learned counsel says that she does not wish to file a reply as she does not oppose the prayer made in the petition for grant of extension of time.

5. The record shows that the Arbitrator was appointed on 03.03.2017. The learned Arbitrator entered upon reference on 07.03.2017.

6. Since the learned Arbitrator was appointed under the Fast Track procedure provided under Section 29B of the Arbitration and Conciliation Act, 1996 (in short"1996 Act"), extension had to be sought for, after the expiry of a period of six months.

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7. Accordingly, parties mutually agreed to extension of time by another six months.
8. Even after the expiry of one year, the arbitration proceedings could not get concluded. This aspect is recorded in the learned Arbitrator's Procedural Orders dated 03.02.2018 and 24.02.2018.
9. Consequently, this Court was approached for extension of time.
10. Via order dated 23.04.2018, time was extended to 31.12.2018.
11. I am informed that the matter is at the stage of evidence, at this juncture.
12. Accordingly, counsel for the parties, jointly pray that time be extended by a further period of 9 months.
13. I am informed by counsel for the parties that record is voluminous and despite enough time being accorded, the Arbitration proceedings could not be completed within the allotted time under Section 29B of the 1996 Act.
14. I am further informed that the respondent had also sought liberty for leading oral evidence which led to the proceedings not being concluded as anticipated at the commencement of the proceedings.
15. Having regard to the overall circumstances as also the time and money invested by the parties, I am inclined to extend time for concluding Arbitration proceedings till 30.09.2019.
- 15.1 It is ordered accordingly.
16. The petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

JANUARY 07, 2019

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