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

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Date of decision: 01.11.2019

+ O.M.P.(MISC.)(COMM.) 427/2019

ITD CEMENTATION INDIA LIMITED Petitioner

Through: Mr. R. Sudhinder & Mr. Nikhil
Kumar Singh, Advocates

versus

RAIL VIKAS NIGAM LIMITED Respondent

Through: Mr. Abhishek Singh, Ms. Samridhi
Pal & Ms. Aashnaa Bhatia, Advocates

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

I.A. 15196/2019 (Exemption).

Exemption allowed subject to all just exceptions.

Application stands disposed of.

O.M.P.(MISC.)(COMM.) 427/2019

1. Issue notice.
2. Mr. Abhishek Singh, Advocate, enters appearance on behalf of the respondent and accepts notice.
3. The present petition has been filed under Section 29A(4) & (5) of the Arbitration and Conciliation Act, 1996 ('Act') seeking extension of time for completion of the arbitral proceedings and passing of the Award.

4. Disputes and differences having arisen between the parties, the Arbitration Clause in the Contract Agreement dated 27.03.2014 was invoked. Vide order dated 02.04.2018, this Court directed for constitution of an Arbitral Tribunal, which entered upon reference on 30.04.2018.
5. Statutory period of twelve months under Section 29A(1) of the Act for making of the Award expired on 29.04.2019. By consent of the parties, time was extended by the Arbitral Tribunal by six months, which expired on 29.10.2019.
6. It is submitted by learned counsel for the petitioner that the matter is at the stage of final arguments and prays that the time be further extended by a period of one year.
7. Mr. Abhishek Singh, Advocate, appearing on behalf of the respondent, on instructions from the respondent, submits that he has no objection to the extension of time. He however submits that the extension should not be granted beyond 5 months.
8. Having heard learned counsels for the parties, I am inclined to extend the time for completion of proceedings and passing of Award by a period of six months from 30.10.2019.
9. The petition is disposed of in the above terms.

JYOTI SINGH, J

NOVEMBER 01, 2019

Rd/