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

+ **O.M.P.(MISC.)(COMM.) 33/2019**

GEE CAB INDUSTRIES LTD.

..... Petitioner

Through: Mr. Rajat Aneja with Ms. Chandrika
Gupta, Advs

versus

NORTHERN RAILWAYS

..... Respondent

Through: Mr. Jagjit Singh, Senior Standing
Counsel with Mr. Vipin Chaudhary,
Mr. G.S. Gangwar and Mr. S.S.
Gangwar, Advs

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **25.01.2019**

I.A. No. 1189/2019 (Exemption)

1. Allowed, subject to just exceptions.

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2. Issue notice.

3. Mr. Jagjit Singh accepts notice on behalf of the respondent.

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

5. The record shows that the arbitration proceedings commenced on 01.08.2016 after the Arbitrator was appointed by this Court on 24.05.2016.

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6. It appears that parties did not take recourse to the provisions of the Act which enable extension of time by mutual agreement, even though the statutory period of 12 months had expired.

7. The record, however, shows that the petitioner had, instead, approached this Court by way of an OMP (Misc) (COMM) 218/2018, whereby, on 06.09.2018, I had regularised the lapse by granting extension of time for concluding arbitration proceedings till 31.01.2019.

7.1 Time for this purpose was to commence from 01.08.2017.

8. Counsel for the parties inform me that the matter is at the stage of evidence and that further extension of time would be required.

9. Having regard to the stage at which arbitration proceedings are presently positioned, I am inclined to extend time by another three months commencing from 01.02.2019.

10. The petition is disposed of in the aforesaid terms.

11. *Dasti.*

RAJIV SHAKDHER, J

JANUARY 25, 2019

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