

\$~33

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

+ **O.M.P.(MISC.)(COMM.) 61/2019**

HYDAC (INDIA) PVT. LTD.

..... Petitioner

Through: Mr. Sunil Fernandes with Mr. Arnav
Vidyarthi and Ms. Priyansha Indra
Sharma, Advs

versus

INOX WIND LTD.

..... Respondent

Through: Ms. Ashna Abrol, Adv

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **15.02.2019**

I.A. No. 2379/2019 (Exemption)

1. Allowed, subject to just exceptions.

O.M.P.(MISC.)(COMM.) 61/2019

2. This is a joint petition moved on behalf of the parties to seek extension of time.
3. The record shows that the learned Arbitrator entered upon reference on 10.03.2017.
4. It appears that after the expiry of the statutory period of 12 months, no formal order for extension was passed by the learned Arbitrator, even though under the Arbitration and Conciliation Act, 1996, there is a provision for mutual extension of time by a period of 6 months.

5. I am informed that this aspect was overlooked and the arbitration proceedings continued before the learned Arbitrator without a formal extension of time.
6. I am further informed that after the matter reached the stage of final arguments, the parties arrived at a compromise whereupon it was discovered that the learned Arbitrator's mandate had come to an end as far back on 10.03.2018.
7. Counsel for the parties say that in order to enable them to place the settlement agreement before the learned Arbitrator, they would require time to be extended.
8. Given the circumstances indicated above, I am inclined to extend time for conclusion of arbitration proceedings till 31.03.2019.
9. The period after 10.03.2018 till today shall stand regularised.
10. The petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

FEBRUARY 15, 2019

c