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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(MISC.)(COMM.) 91/2019
MS.POONAM Petitioner
Through Mr. S.S. Jain, Adv.
versus
DELHI METRO RAIL CORPORATION Respondent
Through Mr. S. Chhalve and Mr. Sushant
Tripathi, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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11.03.2019

1. Issue notice.

1.1 Mr. S. Chhalve accepts notice on behalf of the respondent. Learned counsel says that he does not wish to file a reply as he has instructions not to oppose the prayer made in the petition for extension of time.

2. The record, as placed before me, shows that a sole Arbitrator was appointed by this Court on 18.05.2011 in a proceeding numbered as: C.M. (Main) No.1327/2010. This order was challenged in a review petition, which was dismissed. Thereafter, a challenge was laid by the respondent by way of a Special Leave Petition (C) No. 6743/2012, which was disposed of vide order dated 18.04.2016. By this order, the Supreme Court appointed Hon'ble Mr. Justice R.V. Easwar, former Judge of this Court as the Arbitrator.

3. Consequently, the learned Arbitrator entered upon reference only on 29.07.2016. It appears, time was also utilized by the parties to attempt a settlement in the matter. Learned counsel for the parties

submit that in all these endeavours, somehow, parties failed to recognize the fact that the time frame granted under the Arbitration and Conciliation Act, 1996 to conclude the proceedings had come to an end.

4. I am informed by the learned counsel for the parties that evidence stands completed and that matter is now ripe for final hearing.

5. In these circumstances, learned counsel for the parties say that a period of four months should suffice. Accordingly, as prayed, further four months, commencing from today, are granted for conclusion of the arbitration proceedings and for rendering of an award by the learned Arbitrator.

6. Furthermore, the time beyond the statutory period of 12 months commencing from the date when it expired i.e. 28.07.2017, shall stand regularized.

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

8. *Dasti.*

RAJIV SHAKDHER, J.

MARCH 11, 2019

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