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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 337/2019**
BARASAT KRISHNAGAR EXPRESSWAYS LIMITED

..... Petitioner

Through: Mr.Amitabh Chaturvedi, Adv.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA Respondent

Through: Mr.Ankur Mittal and Mr.Abhay
Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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13.09.2019

1. This is petition under Section 29A of the Arbitration and Conciliation Act, seeking a direction from this Court for extending the time for completion of arbitral proceedings by six months.
2. Mr.Chaturvedi, Advocate appearing for the petitioner, has drawn my attention to page 49 of the documents file which is an order dated 17th August, 2019 passed by the Arbitral Tribunal wherein the Tribunal in para 8 has recorded the consent of the parties for filing a joint application before this Court in the following manner:

“xxx

xxx

xxx

Both the parties accordingly through their Ld. Counsels (under instructions) today consent and agree that they shall be filing a joint application before Hon'ble High Court for suitable extension beyond 13.09.2019, preferably for a period of 6 months, of course to be decided by the Hon'ble Court. Both the Ld. Counsels undertake that this joint application shall be filed

positively within two weeks from today and efforts shall be made to get it listed immediately so that whatever orders the Hon'ble Court passes are available before the next date."

3. He states, a joint application has not been filed, as the last date for completion of arbitral proceedings is expiring on 13th September, 2019. Mr. Ankur Mittal, Advocate, appeared for NHAI on the last date, i.e. 6th September, 2019 had sought time to take instructions but today he states he could not take instructions and requests the Court to pass an order.
4. Noting the submissions, this Court is of the view that consent was already given before the Tribunal on 17th August, 2019, which I have reproduced above, as such the period for the Arbitral Tribunal to complete the proceedings and to render the Arbitral Award is extended by a period of six months, effective from 13th September, 2019.
5. The petition is disposed of accordingly.

V. KAMESWAR RAO, J

SEPTEMBER 13, 2019/bh