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

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Date of decision: 04.09.2019

+ O.M.P.(MISC.)(COMM.) 354/2019, I.A. No. 12266/2019

TECH- SHARP ENGINEERS (P) LTD. Petitioner

Through: Mr. R.V. Prabhat, Mr. Shreyash
Sharma, Advocates

versus

INDIAN OIL CORPORATION LTD. Respondent

Through: Ms. Prachi V. Sharma, Advocate

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

I.A. No. 12266/2019 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

O.M.P.(MISC.)(COMM.) 354/2019

1. This is a petition filed under Section 29A(4) of the Arbitration & Conciliation Act, 1996 (hereinafter referred to as 'the Act'). The arbitration proceedings between the parties commenced on 20.02.2016. Statutory period of 12 months expired on 20.02.2017. By an order dated 08.02.2017, the time was extended with the consent of the parties, for a further period of six months, which expired on 22.08.2017.

2. A petition was filed in this Court for extension of time and vide order dated 23.10.2017, this Court extended the time by one year. The final arguments before the arbitrator commenced on 30.07.2018 and

the claimant argued on several dates between 30.07.2018 to 26.09.2018.

3. Another petition being OMP (M) (Comm) No. 299/2018 was filed and vide order dated 08.10.2018, the time was extended by a period of four months, upto 22.02.2019.

4. The final arguments of the claimant completed on 23.10.2018 and respondent commenced his arguments on 25.10.2018. The arguments of the respondent have concluded on 19.12.2018 and the claimant commenced its arguments in rejoinder on 20.12.2018.

5. Vide order dated 28.02.2019, this Court extended the time up to 22.08.2019. It is submitted by the learned counsel for the parties that the arbitrator, in the meantime, was seriously unwell and had to undergo a surgery and is under treatment till date. In this background, further time is sought to complete the arbitration proceedings.

6. Learned counsel for the respondent has no objection to the prayer made in the petition.

7. For the reasons stated in the petition, the time for completion of arbitration proceedings and making the award is extended for further period of six months with effect from 23.08.2019.

8. The petition is disposed of in the above terms.

JYOTI SINGH, J

SEPTEMBER 04, 2019/pkb