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

% **Date of decision: 11.09.2019**

+ O.M.P.(MISC.)(COMM.) 365/2019, I.A. No. 12545/2019

(Exemption)

M/S. POWERTEC ENGINEERING PVT. LTD

..... Petitioner

Through: Mr. Ravinder Singh, Advocate

versus

M/S. MECON LTD

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

I.A. No. 12545/2019 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

O.M.P. (MISC.) (COMM) NO.365/2019

1. This is a petition filed under Section 29A(4) of the Arbitration & Conciliation Act, 1996 (hereinafter referred to as 'the Act') for seeking extension of time to conclude the arbitral proceedings and to pass an Award.

2. The inter se dispute arose between the parties with respect to the Memorandum of Understanding dated 20.09.2012. The Arbitral Tribunal entered into reference on 09.03.2018. The statutory period of 12 months for passing the award having expired, the mandate of the

Tribunal was extended for a period of six months w.e.f. 09.03.2019, with the consent of both the parties, in the hearing dated 14.2.2019 before the Arbitral Tribunal.

3. Oral arguments of the parties were concluded on 21.08.2019 with directions to the parties to file their written arguments, within two weeks therefrom. The extended period of 6 months came to an end on 08.09.2019. It is submitted that the learned Tribunal requires 4-5 weeks after receipt of the written arguments to pass the Award.

4. Learned counsel for the petitioner has drawn the attention of this court to an order dated 21.08.2019 passed by the Arbitral Tribunal, wherein the parties have consented to extension of time by a period of 4-5 weeks w.e.f. 08.09.2019.

5. Since there is a consent for extension of time, therefore, notice is not required to be sent to the respondent.

6. In view of the averments made in the petition and the order dated 21.08.2019 passed by Arbitral Tribunal, the present petition is allowed and the time for completion of arbitration proceedings and making the award is extended by a further period of six weeks from 08.09.2019.

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

JYOTI SINGH, J

SEPTEMBER 11, 2019

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