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

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Date of decision: 17.09.2019

+ O.M.P.(MISC.)(COMM.) 375/2019, I.A. No. 12832/2019

IRCON INTERNATIONAL LTD Petitioner

Through: Mr. Anil Seth, Advocate

versus

UNION OF INDIA, THROUGH SECRETARY,
DEPARTMENT OF HEALTH RESEARCH,
MINISTRY OF HEALTH & FAMILY
WELFARE.

..... Respondent

Through: Ms. Suparnana Sirivastava, CGSC,
Ms. Suparna Srivastava, CGSC and
Ms. Sanjana Dua, with Mr. Amit
Kumar Dogra, Advocate for
respondent No. 1.
Mr. Vikas Sharma, Advocate

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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17.09.2019

I.A. No. 12832/2019 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

O.M.P.(MISC.)(COMM.) 375/2019

1. This is a petition under Section 29A (4) and (5) of the Arbitration & Conciliation Act, 1996, ('Act'), seeking extension of

time for completion of the arbitral proceedings and passing of the award.

2. The parties had entered into four contracts in connection with construction of a hospital, residential, additional residential complex and a Research cum Training Center as well as an Auditorium of the Bhopal Memorial Hospital.

3. Disputes and differences having arisen between the parties, the petitioner nominated its nominee arbitrator and the second arbitrator was nominated by this Court on 13.02.2018. The two learned Arbitrators appointed a third Arbitrator as a Presiding Arbitrator.

4. It is submitted by learned counsel for the petitioner that the notice of hearing was given by the Arbitral Tribunal on 22.02.2018 and the first hearing was held on 07.03.2018 where the necessary rules, etc. were framed. Thereafter, six hearings have been held during which pleadings have been completed and witnesses of both the parties were examined. Thereafter, some settlement talks were going on between the parties, but were not successful. The parties have ever since diligently and promptly pursued the arbitration proceedings. He submits that the matter is now at the stage of final arguments.

5. The statutory period of 12 months having expired, the parties with their mutual consent extended the period by six months, which period has since expired on 06.08.2019. It is submitted by learned counsel for the petitioner that during the hearing on 06.07.2019, the parties had agreed to seek further extension of six months. The order is on record of this Court.

6. Mr. Vikas Sharma, enters appearance on behalf of the respondent and submits that he has no objection to the present petition being allowed.

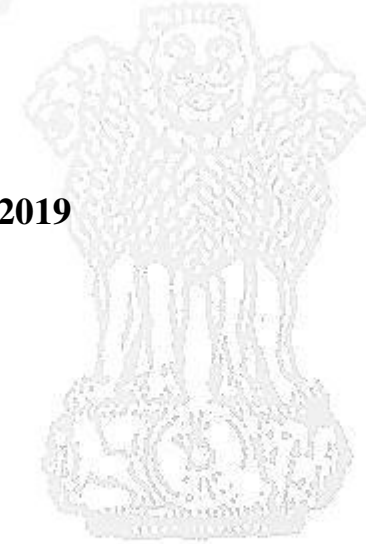
7. With the consent of the parties and in view of the averments made in the petition, time for completion of the arbitral proceedings and passing of the Award is hereby extended by further period of six months from 06.08.2019.

8. The petition is allowed in the aforesaid terms.

JYOTI SINGH, J

SEPTEMBER 17, 2019

Pkb/



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