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

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Date of decision: 10.10.2019

+ O.M.P.(MISC.)(COMM.) 401/2019

BASANT PROJECTS LTD

..... Petitioner

Through: Mr. Zeeshan Hashmi, Advocate

versus

DELHI METRO RAIL CORPORATION LTD.

..... Respondent

Through: Mr. M.U. Khan, Advocate

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

IA No. 13984/2019 (Exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

I.A. No.13985/2019 (Delay)

This is an application seeking condonation of 17 days' delay in re-filing of the petition.

For the reasons stated in the application, the same is allowed and the delay of 17 days in re-filing the petition is condoned.

The application stands disposed of.

O.M.P.(MISC.)(COMM.) 401/2019

1. Issue notice.
2. Mr. M.U. Khan, Advocate, enters appearance and accepts notice on behalf of the respondent.
3. This is a petition under Section 29A(4) of the Arbitration & Conciliation Act, 1996, ('the Act') seeking extension of time for completion of the arbitral proceedings and passing of Award.
4. Disputes and differences having arisen between the parties, the Arbitration Clause in the Concession Agreement dated 02.03.2005 was invoked. Arbitral Tribunal consisting of three arbitrators was constituted as per the Concession Agreement. The Arbitral Tribunal entered into reference on 28.04.2018 and the proceedings commenced on 30.04.2018.
5. Statutory period of twelve months expired on 27.04.2019. It was further extended by a period of six months by mutual consent of the parties, which is expiring on 27.10.2019.
6. Learned counsel for the petitioner submits that the matter is at the stage of final arguments and prays that the time for completion of proceedings and passing of Award be extended for a period of six months.
7. Mr. M.U. Khan, Advocate, appearing for the respondent submits, on instructions, that he has no objection to the extension of time.

8. With the consent of the parties, time for completion of the arbitral proceedings and passing of Award is extended by a period of six months from 28.10.2019.
9. The petition is allowed in the aforesaid terms.

JYOTI SINGH, J

OCTOBER 10, 2019

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