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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(MISC.)(COMM.) 303/2018
DELHI TOURISM AND TRANSPORTATION DEVELOPMENT
CORPORATION LTD.

..... Petitioner

Through Ms. Bandana Kaur Grover, Adv.

versus

CONNOISSEUR FOODS AND HOSPITALITY SERVICES

..... Respondent

Through Mr. B.K. Mishra, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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25.01.2019

1. This is a petition whereby, extension of time qua arbitration proceedings is sought.
2. Notice in this petition was issued on 09.10.2018. The respondent entered appearance via Mr. B.K. Mishra on 01.11.2018. I am told by Mr. Mishra today that a reply has been filed and a copy of the same has been served on the counsel for the petitioner.
3. Ms. Grover, who, appears for the petitioner, affirms the fact that she has received the copy of the reply.
4. To be noted, the reply is, however, not on record as the Registry has raised certain objections. A copy of the reply, however, has been handed over to me in Court today.
5. It is not disputed before me by the learned counsel for the respondent that the arbitration proceedings have reached the stage of final arguments. Via the reply, learned counsel for the respondent has

sought to bring on record the orders dated 12.01.2018 and 15.06.2018 passed by the Estate Officer and a letter dated 16.04.2018, whereby the respondent has conveyed to the Deputy Commissioner (Excise) that the subject premises have been handed over to the petitioner and, therefore, the liquor stock available at the said premises should be removed.

6. To my mind, the aforementioned documents are not relevant for deciding the fate of the captioned petition. The captioned petition has been filed under Section 29A(4) and Section 29A(5) of the Arbitration and Conciliation Act, 1996 (in short '1996 Act') for extension of time.

6.1 It is not disputed that upon disputes erupting between the parties on 01.07.2016, the petitioner appointed, one, Mr. A.B. Shukla, former IAS Officer, as an Arbitrator in the matter. It is also not in dispute that the parties, thereafter, on 27.03.2017, mutually agreed for extension of time by a period of six months, after the expiry of statutory period of 12 months. It is also not disputed that, thereafter, in a proceeding held before the learned Arbitrator on 11.01.2018, parties indicated that they would seek further extension of time by approaching this Court.

6.2 The record shows that even though an application was filed with registry for extension of time, no steps were taken to have it listed before the Court.

7. It is in this background that the petitioner has approached this Court. Accordingly, the petitioner prays that the time be extended. Learned counsel for the respondent does not object to the prayer made

for extension of time.

8. Accordingly, having regard to the time and money invested by the parties, I am inclined to extend the period for concluding the arbitration proceedings and pronouncement of an Award till 30.04.2019, commencing from 11.01.2018.

9. Petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

JANUARY 25, 2019

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