

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO. 79 OF 2020**

Bharat Heavy Electrical Limited	...Petitioner
<i>Versus</i>	
Jindal Thermal Power Limited	...Respondent

Ms Kavita Anchan, *with Arsh Misra, i/b M V Kini & Co for the
Petitioner.*

Ms Vatsala Pant, *with L Indorkar, i/b Argus Partners Pvt Ltd, for
the Respondents.*

CORAM: G.S. PATEL, J.
DATED: 27th January 2020

PC:-

1. The petition is under Section 29-A of the Arbitration and Conciliation Act 1996. The parties entered into two contracts dated 30th September 2009 namely, Boiler Turbine Generator Package Supply Agreement and Boiler Turbine Generator Service Agreement. Disputes arose between the parties due to payments stipulated under Clause 8. As specified in an order dated 7th May 2018, the Petitioner nominated Mrs (Justice) Sujata Manohar, former Judge of the Supreme Court, and the Respondent nominated Mr (Justice) S N Jhunjhunwala, former Judge of the Bombay High Court as their nominee arbitrators. They in turn appointed Mr (Justice) S S Nijjar, former Judge of the Supreme Court, as the

presiding arbitrator. The learned Arbitral Tribunal entered upon the reference to its arbitration shortly thereafter.

2. Before the tribunal, the matter proceeded. The parties agreed to an extension of six months in a meeting held on 20th July 2019. The extended mandate ended on 30th November 2019.

3. The arbitral proceedings have reached the stage of cross-examination of the Respondent's witnesses.

4. Having regard to these circumstances, I am extending the arbitral mandate for a period of one year to complete the arbitral proceedings.

5. The petition is disposed of accordingly.

(G. S. PATEL, J)