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

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Date of decision: 15.01.2020

+ O.M.P.(MISC.)(COMM.) 16/2020

PRAKASH CHAND GOYAL (HUF)

..... Petitioner

Through Ms. Rishu Agarwal and Ms.
Monalisha Harsh, Advocates.

versus

SUNIL WALIA

..... Respondent

Through None.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

I.A. 459/2020 (Exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

O.M.P.(MISC.)(COMM.) 16/2020

1. This is a joint petition filed under Section 29A(4) of the Arbitration and Conciliation Act, 1996 ('Act') seeking extension of time for completion of the arbitral proceedings and passing of the Award.
2. Disputes having arisen out of a Partnership Agreement entered into between the petitioner and respondent in the name and style of M/s Jason Enterprises, a Sole Arbitrator was appointed.
3. Statutory period of twelve months under Section 29A(1) of the Act expired on 15.01.2019. Vide order dated 21.01.2019, by mutual consent of the parties, the time was extended by a period of six months. The extended

time of six months expired on 15.07.2019.

4. In a petition under Section 29A (4) filed in this Court, being OMP (Misc.)(Comm.) No. 336/2019, vide an order dated 30.08.2019, this Court had extended the mandate of the Arbitrator by a further period of six months, which is expiring today i.e. 15.01.2020.

5. Learned counsel for the petitioner has drawn the attention of this Court to an order dated 23.12.2019 passed by the Tribunal wherein the parties have consented to seek extension of time by a period of six months by approaching this Court.

6. Learned counsel for the petitioner submits that the proceedings are at the stage of cross-examination of the respondent's witness and was fixed for the said purpose on 13.01.2020.

7. Learned counsel for the petitioner submits that advance copy of the petition was served on the respondent. Counsel for the respondent has also been informed of the matter being listed today. Matter has been called twice. There is no appearance on behalf of the respondent.

8. In view of the order dated 23.12.2019 passed before the Arbitral Tribunal, wherein respondent has consented to extension of time, the requirement of notice to the respondent is dispensed with.

9. Time for completion of the proceedings and passing of the award is hereby extended by a period of three months from 16.01.2020.

10. The petition is allowed in the aforesaid terms.

JYOTI SINGH, J

JANUARY 15, 2020

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