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

+ O.M.P.(MISC.)(COMM.) 68/2020

APPLIED COMMUNICATION AND CONTROLS..... Petitioner

Through: Mr.Arn timer Kumar & Ms.Ishita Jindal,
Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr.Sunny Tomar for Mr.R.K.
Sharma, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **14.02.2020**

IA No.2135/2020 (for exemption)

1. Exemption allowed, subject to all just exceptions. The application is disposed of.

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2. This is a petition under Section 29A(4) and (5) of the Arbitration and Conciliation Act, 1996 seeking extension of time for completion of the arbitral proceedings and rendering an award.

3. Learned counsel for the petitioner submits that upon disputes having arisen between the parties in relation to rate contract dated 17.01.2013, the arbitration was invoked by the petitioner whereupon the respondents had appointed Shri Anil Kumar, IG (Provisional) as the sole Arbitrator who was subsequently replaced by Shri A.K. Sharma, IG(Comm/Prov), BSF. However, since none of the Arbitrators so appointed proceeded with the matter, the petitioner

approached this Court seeking appointment of an independent arbitrator. Consequently, this Court vide its order dated 09.05.2018 appointed Justice M.C. Garg (Retd.) as the sole Arbitrator to decide the disputes between the parties. He submits that despite the parties having diligently participated in the arbitration proceedings, the same have not yet concluded. He further submits that this Court vide its order dated 18.11.2019 had extended the time for completion of arbitration proceedings by three months, which period is about to expire, but the proceedings are still ongoing. He, therefore, prays that the mandate of the learned Arbitrator be extended for a further period of four months from today.

4. Issue notice. Learned counsel for the respondents accepts notice and does not oppose the petition.

5. Keeping in view the fact that much time and labour has already been invested in the proceedings, the time for completion of arbitration proceedings and rendering of award is extended by a period of four three months. The mandate of the learned Arbitrator is accordingly extended till 30.06.2020.

6. The petition is disposed of.

REKHA PALLI, J

FEBRUARY 14, 2020

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