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

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**Date of decision: 16.03.2020**

+ O.M.P.(MISC.)(COMM.) 105/2020

TOTEM-PREMCO (JV)

..... Petitioner

Through Mr. A.K. Thakur, Mr. Rishi Raj and  
Ms. Kavita Singh, Advocates.

versus

RAIL VIKASH NIGAM LIMITED

..... Respondent

Through Mr. Prateek and Mr. Anil Seth,  
Advocates.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**JYOTI SINGH, J. (ORAL)**

**I.A. 3519/2020**

Exemption allowed subject to all just exceptions.

Application stands disposed of.

**O.M.P.(MISC.)(COMM.) 105/2020**

1. Issue notice.
2. Mr. Prateek, Advocate, enters appearance on behalf of the respondent and accepts notice.
3. Present petition has been filed under Section 29A(5) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'Act') seeking extension of time for completion of the arbitral proceedings and passing of the Award.

4. Pursuant to a Contract being entered between the parties on 13.11.2010, certain disputes had arisen. The petitioner invoked Arbitration vide notice dated 31.12.2015 and the Arbitral Tribunal, being constituted, entered upon reference on 10.03.2018.
5. Statutory period of twelve months under Section 29A(1) of the Act expired on 09.03.2019. Subsequently, the parties mutually consented to extend the mandate of the Arbitrator by a period of six months and the extended period expired on 09.09.2019.
6. Thereafter, the parties filed an application under Section 29A(5) of the Act seeking extension of time by a period of six months w.e.f. 09.09.2019, which was granted by this Court vide order dated 28.08.2019.
7. Mr. Prateek, Advocate, appearing on behalf of the respondent, on instructions from the respondent, submits that he has no objection to the time being extended.
8. Learned counsels for the parties jointly submit that the arguments have concluded and only the Award has to be passed.
9. With the consent of the parties, time is extended by a period of three months from 08.03.2020, for passing the Award.
10. Petition is allowed in the above terms.
11. *Dasti.*

**JYOTI SINGH, J**

**MARCH 16, 2020**

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