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

+ **O.M.P(MISC)(COMM) 150/2020 & I.A. 5194/2020**

**GAMMON ATLANTA JV** ..... Petitioner

Through: **Mr. Chirag M. Shroff, Adv.**

versus

**NATIONAL HIGHWAYS AUTHORITY OF INDIA**

.... Respondent

Through: **Mr. Rajiv Kapoor, Adv. and  
Mr. Srikant Sharma, Adv. with  
Mr. A.K.Tripathi, Legal  
Advisor, NHAI**

**CORAM:**

**HON'BLE MR. JUSTICE C .HARI SHANKAR**

**ORDER (ORAL)**

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**07.07.2020**

(Video-Conferencing)

1. This petition seeks extension of time, granted to the learned Arbitral Tribunal, to complete the arbitral proceedings and render its award, by a period of six months after lifting of lockdown.

2. The lockdown, as it existed on the date when the application was filed, was subsequently relaxed.

3. Mr. Rajiv Kapoor, learned counsel for the respondent does not oppose the prayer, but prays that the exemplary costs should be awarded as, in his submission, the applicant has been delaying the proceedings, before the learned Arbitral Tribunal, on unjustified grounds.

4. Needless to say, Mr. Chirag M. Shroff, learned counsel for the petitioner, staunchly refutes to this submission.

5. For the present, I do not deem it appropriate to award costs. However, it is made clear that both parties would ensure full cooperation, with the learned Arbitral Tribunal, in ensuring a speedy resolution of the dispute.

6. The learned Arbitral Tribunal is also requested to keep this aspect in mind, and take all steps to ensure that unnecessary attempts to protract the proceedings, by either party, are not permitted.

7. In so far as the prayer in the petition is concerned, in view of the fact that Mr. Rajiv Kapoor does not oppose the grant of extension of time, the time granted to the learned Arbitral Tribunal to conclude the proceedings and pass its award stands extended by a period of six months from today.

8. The application stands disposed of in the aforesaid term.

**I.A. 5194/2020 in O.M.P(MISC)(COMM) 150/2020**

1. In view of the disposal of O.M.P(MISC)(COMM) 150/2020, this application does not survive for consideration.

**C. HARI SHANKAR, J.**

**JULY 07, 2020/dsn**