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

+ O.M.P. (MISC.) 38/2019

M/S FITJEE LTD.

..... Petitioner

Through: Mr. Mohit Gupta and Mr. Divij Soni,
Adv.

versus

RAJESH SHARMA

..... Respondent

Through: Mr. Mehul Gupta, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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30.01.2020

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

2. Learned counsel for the petitioner submits that the sole Arbitrator had entered reference upon his appointment by this Court on 31.08.2015. He submits that despite best efforts of the parties, the arbitration proceedings have yet not concluded. He further submits that upon realizing that the mandate of the learned Arbitrator had come to an end, the petitioner had initially approached the Court of learned Additional District Judge seeking extension of time, which petition was held to be not maintainable before the said Court. In these circumstances, the present petition came to be filed before this Court in September, 2019. He, therefore, prays that the mandate be

extended w.e.f. 30.04.2017 for another three months from today.

3. Issue notice. Learned counsel for the respondent enters appearance and does not oppose the petition but prays that the petitioner be directed to cooperate in the arbitration proceedings initiated by the respondent which are also pending before the same learned Arbitrator. Learned counsel for the petitioner assures the Court that he will not seek any unnecessary adjournment in the arbitration proceedings initiated at the behest of the respondent.

4. In these circumstances, even though the present petition has been filed belatedly, keeping in view the explanation furnished by the petitioner for approaching this Court belatedly as also the no objections given by the respondent, the time for completion of the arbitration proceedings and passing of the award, is subject to payment of costs of Rs.25,000/- to Delhi High Court Bar Association Library Fund within two weeks, extended for a further period of three months from today. The said extension will be effective w.e.f. 30.04.2017 and would, therefore, expire on 30.04.2020.

5. The petition stands disposed of in the aforesaid terms.

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REKHA PALLI, J.

JANUARY 30, 2020

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