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

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Date of decision: 10.09.2021

+ O.M.P.(MISC.)(COMM.) 137/2021

PATEL ENGINEERING LIMITED Petitioner

Through: Mr. D.S. Chadha, Advocate

Versus

HIMACHAL PRADESH POWER CORPORATION LIMITED

.....Respondent

Through: Mr. Anand Prakash, Standing
Counsel

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (oral)

IA No. 11544/2021 (u/S 151 CPC)

1. Exemption is allowed subject to all just exceptions.
2. Application is disposed of.

O.M.P.(MISC.)(COMM.) 137/2021

3. The present petition filed under Section 29 A(4) of the Arbitration and Conciliation Act, 1996 has been filed seeking extension of mandate of the arbitral tribunal adjudicating the disputes between the parties.

4. Pertinently, petitioner, a leading Civil Engineering and Construction company and respondent- a public limited company had entered into a

Contract dated 09.09.2009 with regard to a project for construction of diversion barrage, power intake, desanding arrangements and gates & hoisting arrangements complete in all respects for Sawra Kuddu Hydroelectric Project (111 MW) located in District Shimla, Himachal Pradesh. During execution of project certain disputes arose between the parties, for resolution of which an arbitral tribunal was constituted on 25.03.2019.

5. According to petitioner, the period of arbitral tribunal was thereafter extended for 18 months and the said period expired on 24.09.2020. Further submitted that arguments were concluded and Award was reserved on 22.04.2021, however, since the record is voluminous, therefore, further extension is sought for the Arbitral tribunal to prepare and announce the award.

6. Notice issued.

7. Mr. Anand Prakash, learned Standing Counsel appearing on behalf of respondent, accepts notice and submits that there is no objection if the time for making the award is extended.

8. Considering that the proceedings and arguments before the Arbitral tribunal have already concluded, I hereby extend the mandate and time of

the Arbitral Tribunal upto 30.09.2021 for preparing and pronouncing the Award.

9. With aforesaid, the present petition and pending application are accordingly disposed of.

(SURESH KUMAR KAIT)
JUDGE

SEPTEMBER 10, 2021
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