

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO. 48 OF 2024

Sharada Construction .. Petitioner
Versus
Roadway Solutions India Infra Limited .. Respondent
...

Mr. Anshuman R. Asare for the petitioner.
Mr. Hussain Dholkawala for the respondent.

CORAM: BHARATI DANGRE, J.
DATED : 15th MARCH, 2024

P.C:-

1 The present petition filed u/s.29A of the Arbitration and Conciliation Act, 1996, seek extension of the mandate of the Arbitral Tribunal, since it is informed that the proceedings before the Tribunal are concluded in all aspects, except for the declaration of the award.

Learned counsel for the petitioner has invited my attention to the minutes of the 25th to 28th Meeting, and in particular, paragraph no.6, where it is recorded as under :-

“As recorded in para 5 of the Minutes of the meeting dated 16/03/2023, the parties by consent extended the mandate of the Tribunal by six months i.e. upto 29/02/2024 under sub-section (3) of Section 29A of the Arbitration and Conciliation Act, 1996 (the Act)

At the meeting held on 29.11.2023, learned counsel for the claimant stated, under instructions of his client, that the Claimant will file an application before the Hon'ble High Court under sub-sections (4) and (5) of Section 29-A of the Act for further extension of the mandate of the Tribunal and that such an application will be filed well in time before 29.02.2024. Learned counsel for the respondent stated, under instructions of his client, that the respondent will give consent for such extension and will also extend all necessary co-operation in this regard.

Looking to the voluminous record produced by the parties, and the fact that the matter involves complex questions of law and fact on controversies of highly technical nature, learned counsel for the parties stated that they will request the Hon'ble Court for extension of the mandate of the Tribunal upto 30.6.2024."

In the wake of the above, I deem it appropriate to extend the etime to pronounce the award upto 30/6/2024, as prayed for, since the extended time to conclude ethe proceedings has come to an end on 29/2/2024.

Petition is made absolute in terms of prayer clause (A).

(SMT. BHARATI DANGRE, J.)