

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 183 OF 2024

Markolines Infra Limited

...Petitioner

Versus

Essel Highways Limited

...Respondent

Mr Murtaza Chherwala, *with Shon Gadgil, Mihika Awate & Snehal Sambare, i/b M/s CNS Juris, for the Petitioner.*

None for the Respondent.

SHEPHALI
SANJAY
MORMARE

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SHEPHALI SANJAY
MORMARE
Date: 2024.12.10
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CORAM:

ARIF S. DOCTOR, J

DATED:

9th December 2024

PC:-

1. This Petition is filed under Section 29A of the Arbitration and Conciliation Act 1996 for an extension of time to complete the arbitral mandate.

2. Learned Counsel for the Petitioner places reliance on an Affidavit of Service to show that the Respondent has been served. Today, none appeared for the Respondent. Hence, there is no impediment in taking up this matter and given the fact that the Respondent has been served. Mr Chherwala, Learned Counsel appearing on behalf of the Petitioner submits that the final arguments have also been completed and the arbitral proceedings are now only awaiting for passing of an Arbitral

Award. He places reliance upon a communication dated 1st November 2024 addressed by the Tribunal to the parties, which sets out that the Learned Arbitrator will be in a position to pronounce and declare the Award by 25th November 2024 and thus directed the parties to apply for an extension of time.

3. Having due regard to the submissions made, I find that a sufficient cause has been made out for the grant of an extension of time

4. Hence, I am inclined to allow the Arbitration Petition in terms of prayer clause (a), which reads thus:

“(a) Extend the mandate of the Learned Arbitrator, [Mr. Amrut Joshi by a period of 03 months or for such other period as this Hon'ble Court deems fit so as to complete arbitration proceedings;”

5. It is made clear that the period of six months to complete the mandate of the Tribunal shall commence from the date on which a copy of this order is uploaded.

6. The Petition is accordingly disposed of.

(ARIF S. DOCTOR, J)