IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Arb.Case No.881 of 2024

Decided on: 10th December, 2024

Mohan Singh ....Petitioner

Versus

NHAI & Ors.

...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua,

[1] *Whether approved for reporting?*

For the petitioner:	Mr. Arsh Rattan, Advocate.
For the respondents:	Ms. Sneh Bhimta, Advocate vice Ms. Shreya Chauhan, Advocate, for respondent No.1.
	Mr. L.N.Sharma, Additional Advocate General, for respondent No.2.

Jyotsna Rewal Dua, Judge

It is not in dispute that a Reference Petition bearing No.253/2018 preferred by the petitioner under Section 3G of the National Highways Act is pending adjudication before the learned Arbitrator, i.e. the Divisional Commissioner, Shimla, Himachal Pradesh. The period of 12

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[1] *Whether reporters of Local Papers may be allowed to see the judgment? yes*

months in terms of Section 29A(1) of the Arbitration & Conciliation Act, 1996 (in short 'the Act'), available to the learned Arbitrator for passing the award stands elapsed. The period specified under Section 29A(3) of the Act is also over, hence, the learned Arbitrator has closed the proceedings in view of termination of his mandate. In these circumstances, the petitioner has prayed for extending the time for pronouncing the award by six months.

3. I have heard learned counsel on both sides and considered the case file. It has been informed that in similar matters, taking recourse to Section 29A(4) of the Act, the Courts have extended the period for passing the award by six months.

4. The petitioner has made out a case for extending the period for deciding the arbitration proceedings by six months. Ordered accordingly. The mandate of learned Arbitrator in deciding the petition under reference is extended by six months from today. The parties, through their learned counsel, are directed to appear before the learned Arbitrator on **20.12.2024**. All rights and contentions of the parties are left open to be adjudicated by the learned Arbitrator.

The petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

December 10, 2024
R.Atal