

(104)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

ARB-109-2024

Date of decision : 15.03.2024

M/s Garg and Company

.....Applicant

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA, ACTING CHIEF JUSTICE

Present: Mr. Ranjit Singh Kalra, Advocate, and
Ms. Snigdha Sood, Advocate,
for the applicant.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

G.S. SANDHAWALIA, ACTING CHIEF JUSTICE (Oral)

1. The present application has been filed under Section 29A of the Arbitration and Conciliation Act, 1996, for extension of time for a period of six months to conclude the arbitration proceedings, which are being conducted by Hon'ble Mr. Justice Virender Singh (former Chief Justice of Jharkhand High Court), who was appointed as the sole arbitrator by a Division Bench of this Court vide order dated 24.02.2022 (Annexure P-1) passed in CWP-3197-2022.

2. Notice of motion.

3. Mr. Deepak Balyan, learned Additional Advocate General, Haryana, on advance copy, accepts notice on behalf of the respondents.

4. A perusal of the paper-book would go on to show that the period to conclude the arbitration proceedings was to expire on 17.09.2023 and vide

order dated 28.09.2023 (Annexure P-5), with consent of the parties, the learned Arbitrator extended the same for a period of six months, which is now going to expire on 16.03.2024. The said order would go on to show that at that point of time, the case was at the stage of cross-examination of Mr. Amit Mehla, Executive Engineer (Provincial Division No.2, Kurukshetra). On 19.02.2024, it was brought to the notice of the learned Arbitrator that the arbitration proceedings are not likely to be concluded by 16.03.2024. Therefore, learned counsel for the parties had agreed that they would be moving a joint/individual application for further extension of time before the appropriate Court. Learned counsel for the respondents had stated that he will instruct his client not to object the extension of time. The matter was ordered to be listed on 05.03.2024. It is stated that the matter is now fixed for arguments on 18.03.2024.

5. Keeping in view the above, this Court is of the considered opinion that considerable progress has been made by the learned Arbitrator and the proceedings are at the fag-end, and therefore, not to allow extension of time at this point of time would frustrate the whole purpose of adjudicating the dispute(s) inter-se the parties.

6. Resultantly, the present application is allowed and the time to conclude the arbitration proceedings is extended for a period of six months.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

March 15, 2024
ndj

Whether speaking/reasoned	Yes
Whether reportable	No