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

+ O.M.P.(MISC.)(COMM.) 23/2024 & I.A. 792/2024

PNC INFRATECH LIMITED

..... Petitioner

Through: Mrs. Vijaya Singh, Mr. Nirmalya
Shukla and Mr. Anand Pratap
Singh, Advocates.

versus

NATIONAL HIGHWAYS AUTHORITY
OF INDIA

..... Respondent

Through: Mr. Santosh Kumar, SC with Mr.
Kushagra, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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12.01.2024

1. The petitioner has challenged this petition under Article 29A of the Arbitration and Conciliation Act, 1996 [“the Act”], seeking extension of the mandate of the learned Arbitral Tribunal, which is in *seisin* of disputes between the parties under an agreement dated 20.06.2011.
2. The learned Arbitral Tribunal was first constituted by an order of this Court dated 31.05.2019 in ARB.P. 390/2019, but had to be reconstituted in the year 2022 as one of the arbitrators unfortunately passed away.
3. The mandate of the Arbitral Tribunal as reconstituted has been extended from time to time, lastly by an order of this Court dated 29.05.2023 in O.M.P.(MISC.)(COMM.) 168/2023.
4. I am informed that proceedings are at the stage of final arguments

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and the Arbitral Tribunal is now hearing the respondent's arguments. The Arbitral Tribunal has fixed the hearings for the purpose of arguments from 14.02.2024 to 18.02.2024.

5. Mr. Santosh Kumar, learned Standing Counsel, appears on behalf of the respondent – National Highways Authority of India and states that the respondent has no objection to the relief sought in this petition.

6. In these circumstances, the petition is allowed and the mandate of the learned Arbitral Tribunal is extended for a period of nine months with effect from 29.02.2024.

7. The petition, alongwith pending application, is disposed of.

PRATEEK JALAN, J

JANUARY 12, 2024
SS/