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

+ **O.M.P.(MISC.)(COMM.) 46/2024**

MCL - BEL (JV)

..... Petitioner

Through: Mr.Monish Panda, Mr.Anmol Jassal
and Ms.Amrita Singh, Advts.

versus

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

..... Respondent

Through: Mr.Alok Kumar Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

22.01.2024

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I.A. 1492/2024 (exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

O.M.P.(MISC.)(COMM.) 46/2024

Present petition has been filed under Section 29 (4) and (5) of the Arbitration and Conciliation Act, 1996 (herein referred to as “the Act”) for extension of mandate of the Arbitral Tribunal by a six months i.e., from 28.02.2024, for pronouncement of the arbitral award.

It has been submitted that the Arbitral Tribunal was constituted on 03.09.2021 and first session took place on 01.10.2021. The time line of six months for completion of pleadings as per Section 23 (2) of the Act commenced 13.09.2021.



It has been submitted that in view COVID-19 Pandemic, the extended period of limitation prescribed in Section 29A of the Act by virtue of the order passed by the Supreme Court in Suo Motu Petition no.3/2020 vide order dated 10.01.2022, the filings of pleadings stood completed on 31.08.2022. It has further been submitted that the mandate expired on 31.08.2023 and the same was further extended with the consent of the parties for a period six months, which is thus to expire on 28.02.2024.

It has been submitted that the learned arbitral tribunal is hearing the arguments of the parties. It has been submitted that the mandate may be extended for a period of six months from 28.02.2024.

Issue notice.

Mr. Alok Kumar Jain, learned counsel for the respondent accepts notice and submits that the respondent has no objection to the prayer made in the petition.

Considering the aforesaid request and the no objection given by the other side, the present petition is allowed and the mandate of the Arbitral Tribunal is extended for a period of six months i.e., from 28.02.2024 till 28.08.2024.

The present petition stands disposed of.

DINESH KUMAR SHARMA, J

JANUARY 22, 2024

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