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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(MISC.)(COMM.) 49/2024

M/S ASCENT CONSTRUCTION PVT LTD Petitioner

Through: Ms. Bharti Tyagi, Advocate.

versus

M/S LOGIX HEIGHTS PVT LTD

..... Respondent

Through: Mr. Atul Nigam, Ms. Tanvi
Nigam, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.01.2024

I.A. 1497/2024 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

O.M.P.(MISC.)(COMM.) 49/2024

1. The petitioner has filed this petition under Section 29A of the Arbitration and Conciliation Act, 1996, for an extension of the mandate of the learned Arbitrator, who is in *seisin* of disputes between the parties under an agreement dated 30.08.2018.

2. The learned Arbitrator was appointed by an order of this Court dated 23.12.2019 in O.M.P.(I)(COMM) 308/2019. His mandate has been extended from time to time, and lastly by order of this Court dated 19.01.2023 in O.M.P.(MISC.)(COMM.) 18/2023.

3. I am informed that proceedings are at the stage of final arguments of the claimant.



4. Mr. Atul Nigam, learned counsel for the respondent, who appears on advance notice, does not object to the relief sought, but brings it to the attention of the Court that proceedings have been adjourned from time to time at the request of the petitioner itself. He draws my attention to the orders and communications of the learned Arbitrator, which have been placed on record, with regard to filing of written submissions and engagement of learned Senior Counsel.

5. Suffice it to state at this stage that, Ms. Bharti Tyagi, learned counsel for the claimant, undertakes that the claimant will abide by the orders of the learned Arbitrator with regard to further conduct of the proceedings and no unnecessary adjournments will be sought. The assurance of learned counsel is noted with the observation that the learned Arbitrator may consider imposition of costs, or any other directions which appear to him to be appropriate in the event either party is uncooperative.

6. The petition is allowed with the above observations and the mandate of the learned Arbitrator is extended by a period of one year with effect from 01.12.2023.

PRATEEK JALAN, J

JANUARY 22, 2024

“Bhupi”/