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

+ O.M.P.(MISC.)(COMM.) 114/2024 & I.A. 3937/2024

M/S L D JV

..... Petitioner

Through: Mr. Sarthak Sawhney, Advocate.

versus

CONTAINER CORPORATION OF INDIA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

19.02.2024

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By way of the present petition filed under section 29A(4) of the Arbitration & Conciliation Act 1996 ('A&C'), the petitioner seeks extension of the mandate of the learned Sole Arbitrator for a period of 06 months in relation to the arbitration proceedings with the respondent.

2. Mr. Sarthak Sawhney, learned counsel appearing for the petitioner submits that the learned Sole Arbitrator's mandate was last extended by a Co-ordinate Bench of this court *vide* order dated 17.11.2023 made in OMP Misc (Comm) No. 588/2023 for a period of 06 months, to be reckoned from 01.09.2023; with the mandate of the learned Sole Arbitrator now coming to an end on 29.02.2024.
3. Mr. Sawhney submits that arguments in rejoinder are to be heard on behalf of the claimant/petitioner; and delay has been occasioned *inter-alia* by reason of counsel for the respondent having suffered bereavement.
4. Counsel draws attention to order dated 09.02.2024 recorded by the learned Sole Arbitrator, where it is recorded that learned counsel for



the parties had jointly submitted that they would be moving the present petition seeking further extension of the mandate of the learned Sole Arbitrator. The order also records that the matter has been listed by the learned Sole Arbitrator today *i.e.*, 19.02.2024, to apprise her of the outcome of the present proceedings.

5. Issue notice.
6. Though Mr. Sawhney submits that they have served an advance copy upon the respondent, no one is present on behalf of the respondent when the matter is called-out.
7. Be that as it may, considering the prayer made, and in particular what has been observed in para 5 of order dated 09.02.2024 recorded by the learned Sole Arbitrator, it is not considered necessary to await any response from the respondent.
8. The respondent is accordingly proceeded *ex-parte*.
9. The petition is accordingly allowed, thereby extending the mandate of the learned Sole Arbitrator by 06 months beginning 01.03.2024, with a request to the learned Sole Arbitrator to conclude the proceedings by that time.
10. In view of the above, the petition is disposed-of.
11. Let a copy of this order be communicated by the petitioner to the learned Sole Arbitrator, as also to the respondent on the e-mail ID available in the memo of parties.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 19, 2024/ds