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

+ **O.M.P.(MISC.)(COMM.) 129/2024, I.A. 5523/2024**

MGF DEVELOPMENTS LIMITED

..... Petitioner

Through: Mr. Akhil Sachar, Ms. Sunanda
Tulsyan and Mr. Sangam Singh,
Advocates.

versus

ETHICAL INFRASTRUCTURE PVT. LTD. Respondent

Through: Mr. Mahendra Vikram Singh and Mr.
Ashish Kumar, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

19.03.2024

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1. The petition under Section 29A (4) and (5) of the Arbitration and Conciliation Act, 1996 as amended under the Arbitration and Conciliation (Amendment) Act, 2015, has been filed on behalf of the petitioner.

2. Briefly stated, the petitioner entered into a *Vilas* 'Flat Buyer's Agreement' dated 16.03.2007, in respect of the Flat No. PH-2, Tower No. B, 16th Floor, The Vilas, Sector-25, Akashneen Marg, DLF Phase-II, Gurugram, for a sale consideration of Rs.5,09,12,300/-, inclusive of space for car parking. The Agreement to Sell dated 02.08.2011 was accordingly entered into by the parties. Subsequently, the disputes arose *inter se* the parties. The petitioner invoked Arbitration Clause 41 of the Agreement dated 16.03.2007 *vide* notice dated 29.10.2021. The reply dated 27.11.2021 was given by the respondent rejecting the name of the learned Arbitrator



suggested by the petitioner. Now, the Arbitrator was appointed by this Court in Arbitration Petition No.1214/2021, who entered reference on 28.05.2022, after giving a declaration under Section 12. The mandate of the learned Arbitrator is to expire on 07.04.2024. It is submitted that the matter is at the stage of final arguments and an extension may be granted by a period of six months.

3. Learned counsel for the respondent submits that this application has become infructuous as the final arguments are being addressed and the matter is likely to be reserved for Order by the learned Arbitrator.

4. Learned counsel for the petitioner submits that the matter is at the stage of final arguments. The mandate of the learned Arbitral Tribunal may be extended by six months.

5. **Submissions heard.**

6. In view of the submissions made by the parties, the mandate of the learned Arbitrator is hereby extended by six months from the date it expires.

7. The petition is accordingly disposed of. The pending application also stands disposed of.

NEENA BANSAL KRISHNA, J

MARCH 19, 2024/RS