



\$~38

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 226/2024 & I.A. 6237/2024**
REFOP INDIA COMPANY Petitioner
Through: Counsel (appearance not given).
versus

UNION OF INDIA Respondent
Through: Mr. Neeraj Chaudhary and Mr.
Himanshu, Advocates.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI
ORDER
% **18.03.2024**

By way of the present petition filed under section 29A (5) of the Arbitration & Conciliation Act 1996, the petitioner seeks extension of the mandate of the learned Sole Arbitrator, who is seized of the disputes between the parties.

2. The record shows that that the arbitrator entered upon reference on 11.08.2016; thereafter the parties granted a consensual extension; and furthermore *vide* order dated 08.08.2023 made in OMP (MISC.)(COMM.) No. 246/2023, the mandate of the learned Arbitrator was further extended by 01 year with effect from 01.03.2023, which expired on 29.02.2024.
3. Learned counsel appearing for the petitioner informs the court that the matter is at the stage of recording the respondent's evidence.
4. Issue notice.



5. Mr. Neeraj Chaudhary learned counsel appearing for the respondent accepts notice; and does not oppose the prayer made.
6. Counsel jointly submit that arbitral proceedings have been delayed *firstly*, by reason of the intervening COVID-19 pandemic; *secondly* due to certain personal/family reasons of the learned Arbitrator; and *thirdly*, by reason of the fact that the learned Arbitrator had to re-locate to Chennai on account of family circumstances.
7. It is noticed however that the arbitral proceedings have been pending for almost 08 years.
8. Be that as it may, upon a conspectus of the averments contained in the petition and the submissions made, the petition is allowed; and the mandate of the learned Arbitrator is extended by another period of 01 year with effect from 01.03.2024, with an earnest request to the learned Arbitrator to conclude the proceedings and render the award within that time.
9. The petition is disposed-of.
10. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

MARCH 18, 2024/ak