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

+ **O.M.P.(MISC.)(COMM.) 283/2024**

TATA PROJECTS LIMITED & ANR. Petitioners

Through: Ms. Pavitra Singh, Adv.

versus

DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA
LIMITED Respondent

Through: Mr. Ankit Jain, Advocate. (M:
9717210836)

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AND

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O.M.P.(MISC.)(COMM.) 284/2024

TATA PROJECTS LIMITED & ANR. Petitioners

Through: Ms. Pavitra Singh, Adv.

versus

DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA
LIMITED Respondent

Through: Mr. Ankit Jain, Advocate.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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08.04.2024

1. This hearing has been done through hybrid mode.
2. These are two petitions filed on behalf of the Petitioners - M/s Tata Projects Ltd. and Aldesa Construcciones, S.A under Section 29A of the Arbitration and Conciliation Act, 1996 (*hereinafter*, '1996 Act') seeking



extension of the mandate of the arbitral tribunal by a period of 6 months from 1st May, 2024.

3. The dispute in the present cases arise from an Agreement dated 8th March, 2013 (*hereinafter*, 'Agreement') entered into between the parties for- Design and Construction of Civil, Structures and Track Works for Double Line Railway Involving Formation in Embankments/Cuttings, Ballast on Formation, Track Works, Bridges, Structures, Buildings Including Testing and Commissioning on Design-Build Lump Sum Basis for Bhaupur- Khurja Section of Eastern Dedicated Freight Corridor Contract Packages: (LOT# 101 and LOT# 103)

4. It is stated in the petition that as the disputes between the parties could not be resolved amicably, the Petitioners/Applicants approached the Dispute Adjudication Board (*hereinafter*, 'DAB') for adjudication of the disputes as per Clause 20.3 of the Particular Conditions of Contract (*hereinafter* 'PCC'). However, it is stated that the parties failed to resolve the disputes through DAB. Thereafter, the Petitioners invoked arbitration under Section 21 of the 1996 Act on 10th June, 2020. Accordingly, the Id. Arbitral Tribunal entered reference on 30th August, 2020.

5. It is further averred in the petition that on 10th February, 2024 the parties concluded their final arguments and the arbitral award was reserved by the Id. Arbitral Tribunal. The mandate of the Id. Arbitral Tribunal is expiring on 30th April, 2024.

6. In view thereof, Id. Counsels for the parties seek extension of the mandate of the arbitral tribunal for a further period of 6 months from 1st May, 2024.

7. Accordingly, the mandate of the Id. Arbitral Tribunal is extended by a



further period of six months from 1st May, 2024.

8. The petitions are disposed of. All pending applications are disposed of.

PRATHIBA M. SINGH, J

APRIL 8, 2024

dj/rks