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

+ **O.M.P.(MISC.)(COMM.) 60/2022**

ERA INFRA ENGINEERING LTD

.....Petitioner

Through: Mr. Udit Seth and Mr. Roshan
Roy, Advocates.

versus

NTPC LTD

.....Respondent

Through: Mr. R. R. Kumar and Yogesh
Gupta, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **26.07.2024**

1. The petitioner has filed the present petition under Section 29A of the Arbitration and Conciliation Act, 1996, seeking extension of the mandate of an Arbitral Tribunal, which is in *seisin* of disputes between the parties under an Agreement dated 30.03.2009. The Arbitral Tribunal was appointed by an order of this Court dated 08.03.2018 in ARB.P.585/2017. The proceedings have been kept in abeyance due to the fact that Corporate Insolvency Resolution Process proceedings have since been instituted against the petitioner. This is also recorded in the order of this Court dated 10.05.2023 in these proceedings.

2. Mr. Udit Seth, learned counsel for the petitioner, now states that the proceedings before the National Company Law Tribunal have culminated in approval of a Resolution Plan, by order dated 11.06.2024.

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The management of the petitioner remains under the control of the monitoring committee, for a period of ninety days, thereafter. The moratorium, however, has been lifted.

3. I am informed that the proceedings are at the stage of recording of the petitioner's evidence, and that it will take a few weeks for the petitioner's management to be able to resume the proceedings.

4. In view of the above, and with the consent of learned counsel for the parties, the mandate of the learned Arbitral Tribunal is extended until 31.09.2025. Learned counsel for the parties state that they will approach the learned Arbitrator to resume the proceedings by 30.09.2024.

5. The petition is disposed of.

PRATEEK JALAN, J

JULY 26, 2024
SS/