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

+ **O.M.P.(MISC.)(COMM.) 406/2024**

GAIL GAS LIMITED

..... Petitioner

Through: Mr. Deepayan Mandal, Mr. Mridul
Bansal & Mr. Naman Varma, Advs.

versus

OKAY GLASS INDUSTRIES

..... Respondent

Through: Mr. Ajay Sharma, Adv. (M:
9539106247)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **20.05.2024**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-GAIL Gas Ltd. under Section 29A of the Arbitration and Conciliation Act, 1996 (*hereinafter, '1996 Act'*) seeking extension of the mandate of the ld. Sole Arbitrator.
3. According to the petition, the Respondent-Okay Glass Industries required a suitable energy source for its glass works in the Taj Trapezium Area and switched to natural gas, entering into a Gas Supply Contract ('GSC') with GAIL (India) Ltd. on 28th June, 2007. GAIL Gas was required to supply gas to the Respondent, which was billed in terms of the GSC entered into between the parties. Thereafter, in March 2018, as per the petition, the Petitioner discovered manipulation of certain data in another customer, prompting an investigation that revealed similar manipulation in the Respondent's data, leading to under-billing. Thus, disputes arose between the parties, leading the Petitioner to initiate arbitration proceedings



on 3rd June, 2022, and appoint a Sole Arbitrator to adjudicate the dispute.

4. The Id. Sole Arbitrator entered reference on 14th July, 2022. The cross-examination of the Claimant's Witness was carried out over 11 sittings, and was finally concluded on 5th February, 2024. The initial one-year time period prescribed under Section 29A(1) of the 1996 Act expired on 4th December, 2023. With mutual consent, the period was extended by six months, which is now due to expire on 4th June, 2024. As noted by the Id. Sole Arbitrator on 3rd May, 2024, the Respondent has also given its no objection to the extension. Hence, the present petition.

5. Ld. Counsel for the Petitioner submits that the stage of the proceeding is that the Petitioner/Claimant's submissions are currently being heard. Ld. Counsel for the Respondent has no objection to the extension being sought. In view thereof, the mandate of the Id. Sole Arbitrator is extended till 31st December, 2024.

6. The petition is disposed of. All pending applications are disposed of.

7. *Dasti.*

PRATHIBA M. SINGH, J.

MAY 20, 2024

dj/dn