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

+ O.M.P.(MISC.)(COMM.) 427/2024

M/S VE COMMERCIAL VEHICLES LTD.Petitioner

Through: Ms. Gunjan Sinha Jain, Adv.

versus

M/S SHRI KRISHNA MOTOR COMPANY & ORS.....Respondents

Through: Mr. Animesh Khandelwal, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **10.09.2024**

1. This is a petition filed under section 29A (4) and (5) of Arbitration and Conciliation Act, 1996 (“Act of 1996”) seeking extension of mandate of the Arbitral Tribunal by 8 months for making and publishing the Arbitral Award.
2. In the present case, as per the petitioner, the respondents have delayed in filing their statement of defence and further, they have taken almost 8 months to file their evidence before the Arbitral Tribunal.
3. Mr. Khandelwal, learned counsel for the respondents states that he has filed a reply; however the same is not on record. A copy of reply has been handed over in Court today which is taken on record.
4. The first objection taken by the respondent is that the counter claims of the respondents are not being considered by the learned Sole Arbitrator and the second objection is that the Arbitral Tribunal is not considering the dispute with regard to Panvel and Vasai.



5. As regards the first objections is concerned, the ordersheet dated 03.08.2023 shows that the same have not been considered as the respondents have not paid the fees of the Arbitrator on the counter-claim. As and when the fees of the learned Sole Arbitrator will be paid, the learned Sole Arbitrator is at liberty to proceed further in accordance with law.
6. As regards the second objection is concerned, the same is not within the ambit and scope of the Court deciding a petition seeking extension of mandate of Arbitral Tribunal under Section 29A of Act of 1996.
7. The objections raised by the respondents are without merit.
8. For the said reasons, I am of the view that the sufficient cause has been shown for seeking extension of the mandate of the Arbitral Tribunal.
9. The mandate of the Arbitral Tribunal is extended by a period of 8 months from today to conclude the Arbitration proceedings and make and publish the Arbitral Award.
10. The period from 15.06.2024 till today stands regularized.
11. The petition is disposed of.

JASMEET SINGH, J

SEPTEMBER 10, 2024/DM

[Click here to check corrigendum, if any](#)