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

+ **O.M.P.(MISC.)(COMM.) 434/2024 & I.A. 30552/2024**

DEEP INDUSTRIES LIMITED

..... Petitioner

Through: Mr. Shubham Kulshrehta & Mr. Satya
Rath, Advs. (M: 9920188966)

versus

KONKAN LNG LIMITED

..... Respondent

Through: Mr. Yoginder Handoo and Ms.
Ashwin Kataria, Advs. (M:
9871500952)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **27.05.2024**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Deep Industries Ltd. under Section 29A(4) and (5) of the Arbitration and Conciliation Act, 1996 (*hereinafter, '1996 Act'*) seeking extension of the mandate of the Id. Sole Arbitrator for a further period, to enable the Id. Sole Arbitrator to conclude the proceedings and pronounce the award.
3. The brief background of the present petition is that the Id. Arbitral Tribunal was constituted on 20th July, 2021. The Petitioner/Claimant initiated arbitral proceedings on 10th September 2021, seeking certain reliefs in respect of breach of terms and conditions of the Agreement dated 29th August 2018. The Agreement was executed between the Petitioner and the Respondent for hiring gas-driven compressors for deployment at the Dabhol site. In the meantime, the Supreme Court, vide order dated 10th January 2022 in *In Re:*



Cognizance for Extension of Limitation [Suo Moto Writ Petition (C) No. 3 of 2020, Order dated 10th January, 2022], clarified that the period from 15th March, 2020 to 28th February, 2022 shall be excluded in computing the periods prescribed under Sections 29A of the 1996 Act. According to the Petitioner, due to the said order passed by the Supreme Court, the time period between 29th November, 2021 and 28th February, 2022 stood excluded. Thus, the 18-month period for rendering the arbitral award ended on 28th August 2023. However, the arbitral proceedings could not be completed by this date.

4. Heard. Admittedly, the mandate of the Arbitrator has expired in August, 2023 and there has been substantial delay in filing the present petition. It is also stated by the Id. Counsels for the parties that the matter is at the stage of final arguments. However, in the interest of justice, since there is consent on both sides, the mandate of the Id. Arbitral Tribunal is extended till 31st December, 2024.

5. The petition is disposed of. All pending applications are also disposed of.

6. The order be given *dasti* under signatures of the Court Master.

PRATHIBA M. SINGH, J.

MAY 27, 2024

dj/dn