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

+ **O.M.P.(MISC.)(COMM.) 494/2024**

ANSALDO SIGNAL CONSORTIUM & ANR.Petitioners

Through: **Mr. Dinesh Pardasani & Mr.
Siddharth Chechani, Advocates.**

versus

NORTH CENTRAL RAILWAY PROJECT UNITRespondent

Through: **Mr. Piyush Hans, Advocate.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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05.07.2024

I.A. 32372/2024(Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

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1. The petitioners have filed this petition under Section 29A of the Arbitration and Conciliation Act, 1996 ["the Act"], for extension of the mandate of the learned Arbitral Tribunal ["the Tribunal"], which is in *seisin* of disputes between the parties under an agreement dated 01.02.2006.

2. Disputes arose between the parties pursuant to which the petitioners invoked arbitration on 07.12.2020 and nominated their nominee arbitrator. The respondent nominated their nominee arbitrator only on 24.05.2022 after which the learned presiding arbitrator was nominated on 07.06.2022.

3. The proceedings before the learned Tribunal are at the stage of recording of evidence. I am informed that 8 witnesses of the petitioner-claimants have already been cross-examined and hearings have been



fixed in the end of this month, for cross-examination of the 8 witnesses of the respondent.

4. Having regard to the number of witnesses and the volume of the record, the petitioner seeks an extension of 12 months in the mandate of the learned Tribunal. Mr. Dinesh Pardasani, learned counsel for the petitioner, also draws my attention to an order of the learned Tribunal dated 08.05.2024 which records the consent of both parties for such an extension.

5. Mr. Piyush Hans, learned counsel, appears on behalf of the respondent on advance notice. He submits upon instructions that the extension may be granted for the period of six months instead of one year.

6. Having regard to the number of witnesses yet to be examined, and to the fact that final arguments will have to be led by both sides, after which the Tribunal will deliberate and prepare the award, I am of the view that the extension of the mandate by one year as sought by the petitioner is not unreasonable.

7. The petition is consequently allowed, and the mandate of the learned Tribunal is extended by the period of one year with effect from 26.06.2024. However, it is noted that learned counsel for both parties have assured the Court that they will cooperate with the learned Tribunal for disposal of the reference within this time frame and no unnecessary adjournments will be sought.

PRATEEK JALAN, J

JULY 5, 2024/‘pv’/