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

+ **O.M.P.(MISC.)(COMM.) 612/2024**

M/S. KAITHAL TOLLWAY LTD

.....Petitioner

Through: Mr Atul Nanda, Sr. Adv. with Ms Rameeza Hakeem, Ms Devika Mohan, Mr Anirudh Bakhru, Ms Charu Shriyan Singh, Mr Sarthak Sachdev Mr Prabhav Bahuguna and Mr Pratush Shrivastava, Adv.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA

.....Respondent

Through: Ms Shalini Chandra and Ms Nandita Mishra, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

06.09.2024

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1. This is a petition filed under Section 29A(4) and (5) of the Arbitration and Conciliation Act, 1996 seeking extension of mandate of the Arbitral Tribunal by a period of 6 months for concluding the arbitral proceedings and passing the final award.
2. It is stated that the claimant and the respondent have both contributed to the delay and the record is voluminous.
3. Notice was issued on 14.08.2024 and time was granted to the learned counsel for the respondent to file a reply. However, no reply has been filed.
4. My attention has also been drawn to the order dated 20.08.2024 passed by the Arbitral Tribunal wherein the respondent has stated that she



would agree with the prayer for extension of time. The relevant portion of the order dated 20.08.2024 is reproduced herein below:

“The Claimant has filed an application before the Hon’ble High Court of Delhi seeking extension of the mandate of the Tribunal. Learned counsel for the Respondent states that after taking formal instructions from the Competent Authority of the Respondent, she would agree with the prayer made by the Claimant for time to be extended to complete the proceedings by another six months.”

5. For the reasons noted above, I am of the view that sufficient cause has been explained for the delay. The petition is allowed and the mandate of the Arbitral Tribunal is extended by a period of 6 months from today for concluding the arbitral proceedings and passing the final award.
6. The period from 12.08.2024 till today stands regularized.
7. The petition is disposed of accordingly.
8. The order dated 20.08.2024 passed by the Arbitral Tribunal is handed over in court today and the same is taken on record.

JASMEET SINGH, J

SEPTEMBER 6, 2024

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