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

+ **O.M.P.(MISC.)(COMM.) 619/2024**

M/S L.K. AND SONS

.....Petitioner

Through: Mr. Shashwat Kabi, Mr. G.C.
Kabi, Ms. Vartika Singhania &
Ms. Shristi Gupta, Advocates.

versus

LAND PORT AUTHORITY OF INDIA & ANR.Respondents

Through: Mr. R.P. Agrawal & Ms. Reema
Mishra, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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16.08.2024

I.A. 36617/2024(Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

O.M.P.(MISC.)(COMM.) 619/2024

1. This petition, under Section 29A of the Arbitration and Conciliation Act, 1996 [“the Act”], has been filed for extension of the mandate of the learned arbitrator, who is in *seisin* of disputes between the parties under a contract awarded to the petitioner by a letter of acceptance dated 22.03.2013.

2. Mr. R.P. Agrawal, learned counsel, enters appearance on behalf of the respondents and states that the respondents have no objection to the



extension of the mandate of the learned arbitrator, as sought in this petition. I am informed that the learned arbitrator has already reserved the award.

3. However, it appears that the learned arbitrator has been appointed unilaterally by the respondents. Having regard to the provisions of Section 12 of the Act, the parties are required to file affidavits before the learned arbitral tribunal, expressly stating that they waive their rights under Section 12 of the Act, before the arbitration proceeds further.

4. In view of the above, and with the consent of learned counsel for the parties, the mandate of the learned arbitrator is extended by a period of four months from 25.07.2024, as prayed. However, it is directed that each of the parties shall file an affidavit before the learned arbitrator, stating that they waive their rights under Section 12 of the Act, within 10 days from today.

5. The petition stands disposed of with these directions.

PRATEEK JALAN, J

AUGUST 16, 2024

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