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

+ **O.M.P.(MISC.) (COMM.) 8/2024 & I.A. 224/2024**

NATIONAL SKILL DEVELOPMENT
CORPORATION

..... Petitioner

Through: Mr. Manu Bajaj, Adv. (M.
9999674252)

versus

SIDDHARTH KAK & ANR.

..... Respondents

Through: Ms. Anukriti, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **05.01.2024**

1. This hearing has been done through hybrid mode.

I.A.224/2024 (for exemption)

2. This is an application filed for exemption from filing certified copies/fair typed copies Allowed, subject to all just exceptions. Application is disposed of.

O.M.P.(MISC.)(COMM.) 8/2024

3. The present petition has been filed jointly by the parties under Section 29A(5) of the Arbitration and Conciliation Act, 1996 (*hereinafter, 'the Act'*), seeking extension of time for the mandate of the sole Arbitrator in the arbitration proceedings titled *National Skill Development Corporation v. Siddharth Kak, Sole Proprietor of Cinema Vision India & Anr.*

4. Disputes arose between the parties with respect to repayment of the loan amount as disbursed under the Loan Agreement dated 21st March, 2014. It is averred that the Petitioner issued a Loan Recall Notice dated 21st September, 2021 under Clause 5.2 of the said Loan Agreement to the



Respondents, thereby calling upon the Respondents to repay the amount of Rs.3,97,99,894/-, within 45 days of receipt of the said Notice. The said Notice was replied to by the Respondents vide their Reply dated 21st October, 2021 wherein Respondents sought to resolve the dispute through arbitration proceedings.

5. It is noticed that the invocation in this case dates back to 15th December, 2021 and thereafter, the sole Arbitrator has been appointed by the Indian Council of Arbitration (*hereinafter*, 'ICA'). The Arbitral Tribunal was constituted on 24th June, 2022. The first procedural bearing in the Arbitration proceedings took place on 13th July, 2022.

6. Lists of dates also reveal that in view of filing of the counter-claim, there were a substantial number of hearings relating to the quantum of the counter-claim and fee to be paid to the sole Arbitrator. In view thereof, further hearings have been held in an application under Section 31 of the Act.

7. Written statement to the Counter claim is stated to have been filed yesterday.

8. Considering the nature of the matter and the fact that 35 hearings have been held after the Section 31 application under the Act has been filed, the mandate of the sole Arbitrator is extended till 31st December, 2024.

9. The sole Arbitrator is, however, requested to conclude the proceedings by the said date of hearing and no unnecessary adjournments shall be granted in this matter.

10. The petition is disposed of.

PRATHIBA M. SINGH, J.

JANURARY 05, 2024/dk/bh