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

+ O.M.P.(MISC.)(COMM.) 866/2024
TRANSNATIONAL SHIPPING INDIA PVT LTD.....Petitioner
Through: Advocate (through v/c)
versus

M /S . KHANIJ IMPEX & ORS.Respondents
Through: Mr. Saket Gogia, Adv. (through v/c)

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

% **ORDER**
07.11.2024

IA No.44363/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition under Section 29A (4) of the Arbitration and Conciliation Act, 1996 seeks extension of time for completion of arbitral proceedings and making of arbitral award.
4. The arbitrator was appointed by this Court vide order dated 11.10.2021 in ARB.P. 46/2021. The mandate of the Arbitral Tribunal initially expired on 01.09.2023. However, since the parties could not mutually agreed on time extension, the claimant filed a petition being OMP (Misc.) (COMM.) No.509/2023 before this Court. This Court, vide order dated 09.01.2024, granted an extension of six months from the date of said order for completion of arbitral proceedings. The said period has expired on 09.07.2024.
5. It is submitted that the arbitral proceedings are at the stage of



recording of the claimant's evidence.

6. The order dated 09.01.2024, whereby the Court granted time extension on the previous occasion, noted the objection/s of the respondent to the effect that the arbitration agreement itself is non-existent. It was observed by this Court in that order that this contention is not available to the respondent at this stage. The same objection is now reiterated in these proceedings. For the reasons noted in the order dated 09.01.2024, the same is not a relevant aspect for the purpose of considering whether an appropriate extension of time is required to be granted or not.

7. Considering that the arbitral proceedings are at an advanced stage, it is deemed apposite to grant a suitable extension of time for completion of arbitral proceedings and making of the arbitral award.

8. Consequently, the present petition is allowed; the time period for completion of arbitral proceedings and making of the arbitral award is extended till 30.04.2025.

SACHIN DATTA, J

NOVEMBER 7, 2024/cl