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

+ **FAO (COMM) 69/2025**

RAVINDRA GOYAL

.....Appellant

Through: None.

versus

**M/S. NATIONAL AGRICULTURAL COOPERATIVE
MARKETING FEDERATION OF INDIA
LIMITED (NAFED)**

.....Respondent

Through: Mr. Chitranshul A. Sinha, Ms.
Pallavi, Mr. Shivam Shorewala
and Ms. Rakshita Bhargava,
Advs.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

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06.03.2025

CM APPL. 13741/2025 (Ex.)

Allowed, subject to all just exceptions.

The application shall stand disposed of.

FAO (COMM) 69/2025

1. We take note of the following conclusions which have been rendered by the Commercial Judge while refusing to entertain the challenge under Section 34 of the Arbitration & Conciliation Act, 1996 ['Act'] on the ground of the same having being preferred after the maximum period prescribed under Section 34(3):

“8. In the present case, Id. Arbitrator has passed the award on 18.12.2023. The petitioner has filed his petition on 01.05.2024. Id. counsel for the petitioner submits that initially the petitioner filed its petition on 23.04.2024, but the same was returned due to some defects and thereafter, after removing the defects, the present



petition was finally filed on 01.05.2024 through electronic mode and came up for hearing before the Court on 03.05.2024. The petitioner has shown the documents in support of initial filing and re-filing. There is no doubt about it.

9. Even for the sake of argument, let us take the date of filing as 23.04.2024. The award in the present petition was passed on 18.12.2023. The three months period for filing the petition under Section 34 expired on 18.03.2024. If the thirty days permitted under 34 (3) of the Act is granted to the petitioner, the objection petition should have been filed within a period of 30 days that too on showing sufficient cause for the delay, but not thereafter. Thus the present petition should have been filed latest by 17.04.2024. Even as per the case of the petitioner, the application under consideration, wherein he has stated that the objections could not be filed within the stipulated period of three months as contemplated under Section 34 (3) and the same being filed with the delay of 32 days, shows that this is beyond 30 days beyond the period of three months as per Section 34 (3) of Arbitration Act.”

2. In absence of any challenge laid to the aforesaid findings on facts, we find no merit in the instant appeal which shall stand dismissed.

YASHWANT VARMA, J.

HARISH VAIDYANATHAN SHANKAR, J.

MARCH 06, 2025/v