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

+ **O.M.P. (COMM) 10/2025**

**MS GHARONDA ASSOTECH PROJECTS PVT LTD
EASTWHILE GHARAONDA INTERIORS PVT LTD**

.....Petitioner

Through: **Mr. Amrendra Kumar Chaubey,
Mr. Shashi Kant Pandey, Advs.**

versus

BEML LIMITED

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

08.01.2025

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I.A. 269/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P. (COMM) 10/2025, I.A. 268/2025, I.A. 270/2025

1. The Petitioner has approached this Court under Section 34 of the Arbitration & Conciliation Act, 1996 challenging an Award dated 07.09.2019 passed by the learned Sole Arbitrator.
2. The present petition challenging the impugned award has been filed by the Petitioner with a delay of 1335 days.
3. Section 34(3) of the Arbitration & Conciliation Act and the proviso thereto reads as under:-

“34 (3) An application for setting aside may not be made after three months have elapsed from the date on which the party making that application had received



the arbitral award or, if a request had been made under section 33, from the date on which that request had been disposed of by the arbitral tribunal:

Provided that if the Court is satisfied that the applicant was prevented by sufficient cause from making the application within the said period of three months it may entertain the application within a further period of thirty days, but not thereafter.”

4. In view of the above, the instant petition is woefully barred by time. This Court does not have the power to condone any delay after the period prescribed under the Arbitration & Conciliation Act. [Refer to:- Vasishta Mantena NH04 JV & Ors. v. Blacklead Infratech Private Limited, 2024 SCC OnLine Del 7588 and Indure Private Limited v. Aneja Construction (India) Limited, 2024 SCC OnLine Del 9020].
5. The petition is dismissed along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JANUARY 08, 2025

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