
(2019) 12 DEL CK 0257

Delhi High Court

Case No: Original Miscellaneous Petition (MISC.)(COMM.) No. 539 Of 2019

Asf Keystone Inc

APPELLANT

Vs

Railway Board

RESPONDENT

Date of Decision: Dec. 23, 2019

Acts Referred:

Arbitration And Conciliation Act, 1996 " Section 16, 17, 29A, 29A(3)

Citation: (2019) 12 DEL CK 0257

Hon'ble Judges: Jyoti Singh, J

Bench: Single Bench

Advocate: Bhargavi Kanan

Final Decision: Allowed

Judgement

Jyoti Singh, J

I.As. 18281-82/2019(Exemptions)

Allowed, subject to all just exceptions.

Applications are disposed of.

O.M.P.(MISC.)(COMM.) 539/2019

1. This is a joint petition filed under Section 29A of the Arbitration and Conciliation Act, 1996 (Act) seeking extension of time for completion

of the arbitral proceedings and passing of the Award.

2. The arbitration proceedings between the parties have arisen out of a contract dated 20.01.2011.

3. The Arbitral Tribunal had entered upon reference on 05.07.2017.

4. The Tribunal passed the first procedural order on 28.07.2017. The first order itself recorded the consent of the parties to extend time for completion

of proceedings by a period of 6 months in terms of Section 29A (3) beyond the statutory period of twelve months.

5. Pleadings were completed on 07.02.2018. Issues were framed on 12.02.2018.

Meanwhile certain proceedings were conducted with respect to the

applications under Section 16 & 17 of the Act which were disposed of on 25.03.2018.

Thereafter, the matter proceeded for trial and the parties have

led evidence by filing affidavits. The evidence concluded on 19.08.2018.

6. In a petition filed in this Court under Section 29A of the Act, the Court vide order dated 20.12.2018 had granted extension of six months to conclude

the proceedings and the mandate was extended upto 05.07.2019.

7. On 07.04.2019, the petitioner concluded its final arguments and on 18.05.2019, the respondent commenced its final arguments.

8. Again vide order dated 03.07.2019, this Court had extended time by a period of six months for completion of proceedings. The said mandate was

extended upto 05.01.2020.

9. By an order dated 18.11.2019, the Tribunal has given liberty to the parties to move a joint application before this Court to seek extension of time.

10. Learned counsel for the petitioner submits that the respondent has now concluded its final arguments on 11.12.2019 and rejoinder arguments are

going on, on behalf of the petitioner.

11. Time for completion of the proceedings and passing of the award is hereby extended by a period of six months with effect from 06.01.2020.

12. The petition is allowed in the aforesaid terms.