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

+ O.M.P.(MISC.)(COMM.) 512/2019

SHAPOORJI PALLONJI AND CO. PVT. LTD. Petitioner

Through: Mr.Saurav Agarwal, Mr.Ravi Tyagi,
Mr.Omung Gupta, Ms.Sonali Jaitley
Bakhshi, Mr.Sai Abhishek and
Mr.AnshumanChowdhury, Advocates

versus

JINDAL INDIA THERMAL POWER LIMITED Respondent

Through: Mr.Prashant Mehta and Mr.Himanshu
Kapoor, Advocates

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **23.01.2020**

1. The Arbitral Tribunal entered upon the reference on 26th May, 2018. The unamended Section 29A(1) of the Arbitration and Conciliation Act, 1996 provided period of 12 months for conclusion of arbitration proceedings from the date the Arbitral Tribunal enters upon the reference. Section 29A(1) was amended with effect from 9th August, 2019 and the time period for conclusion of arbitration proceedings have been extended up to 12 months from the date of completion of pleadings. Section 23(4) of the Arbitration and Conciliation Act provides for completion of pleadings within six months.
2. In the present case, the Arbitral Tribunal entered upon reference on

26th May, 2018. The time period for conclusion of the arbitration proceedings in terms of Section 23(4) and 29A(1) is up to 25th November, 2019. Section 29A(3) empowers the parties to extend the period by six months.

3. Learned counsels for both the parties submit that the parties by consent mutually extended the time period by six months which period will expire on 23rd May, 2020.

4. This Court is of the view that amended Sections 23(4) and 29A(1) of the Arbitration and Conciliation Act, being procedural law, would apply to the pending arbitrations as on the date of the amendment and therefore, the time period for conclusion of arbitration proceedings has not yet expired.

5. The petition is disposed of as infructuous.

6. Copy of this order be given *dasti* to learned counsel for the parties under signatures of the Court Master.

J.R. MIDHA, J.

JANUARY 23, 2020

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