

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

**Arb. Case No.879 of 2024**

**Decided on: 10<sup>th</sup> December, 2024**

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Deepak Kumar

....Petitioner

Versus

UOI & Ors.

...Respondents

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*Coram*

**Ms. Justice Jyotsna Rewal Dua,**

<sup>1</sup> *Whether approved for reporting?*

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For the petitioner:

Mr. Ajay Kumar Sharma, Advocate.

For the respondents:

Mr. Shiv Pal Manhans, Sr. Panel Counsel, for respondent No.1.

Ms. Sneha Bhimta, Advocate vice  
Ms. Shreya Chauhan, Advocate, for  
respondents No.2 and 5.

Mr. L.N.Sharma, Additional Advocate  
General, for respondent No.3 and 4

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**Jyotsna Rewal Dua, Judge**

It is not in dispute that a Reference Petition bearing No.44/2019 preferred by the petitioner under Section 3G of the National Highways Act is pending adjudication before the learned Arbitrator, i.e. the Divisional

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<sup>1</sup> *Whether reporters of Local Papers may be allowed to see the judgment? yes*

Commissioner, Shimla, Himachal Pradesh, Camp at Solan, District Solan. The period of 12 months in terms of Section 29A(1) of the Arbitration & Conciliation Act, 1996 (in short 'the Act'), available to the learned Arbitrator for passing the award stands elapsed. The period specified under Section 29A(3) of the Act is also over, hence, the learned Arbitrator has closed the proceedings in view of termination of his mandate. In these circumstances, the petitioner has prayed for extending the time for pronouncing the award by six months.

**3.** I have heard learned counsel on both sides and considered the case file. It has been informed that in similar matters, taking recourse to Section 29A(4) of the Act, the Courts have extended the period for passing the award by six months.

**4.** The petitioner has made out a case for extending the period for deciding the arbitration proceedings by six months. Ordered accordingly. The mandate of learned Arbitrator in deciding the petition under reference is extended by six months from today. The parties, through their learned counsel, are directed to appear before the learned Arbitrator

on **27.12.2024**. All rights and contentions of the parties are left open to be adjudicated by the learned Arbitrator.

The petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua  
Judge

December 10, 2024  
*R.Atal*