

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Arb. Case No.374 of 2024

Decided on: 28th June, 2024

Bhup Singh

.....**Petitioner**

Versus

National Highway Authority of India
and another

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Maan Singh, Advocate vice
 Mr. Varun Rana, Advocate.

For the Respondents: Ms. Shreya Chauhan and Ms. Sneh
 Bhimta, Advocates, for respondent
 No.1.

Mr. Anup Rattan, Advocate General
with Mr. L.N. Sharma and Mr. Varun
Chandel, Additional Advocates
General, for respondent No.2.

Jyotsna Rewal Dua, Judge

Notice. Ms. Shreya Chauhan, learned counsel
and Mr. L.N. Sharma, learned Additional Advocate General,
appear and waive service of notice on behalf of respondents
No.1 and 2, respectively.

2. It is not in dispute that a Reference Petition
bearing No.76/2019 preferred by the petitioner under

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

Section 3G of the National Highways Act is pending adjudication before the learned Arbitrator, i.e. the Divisional Commissioner, Mandi, Himachal Pradesh. 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 **05.07.2024**. 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

June 28, 2024

Mukesh