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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(MISC.)(COMM.) 51/2024
SVEC CONSTRUCTION LIMITED Petitioner
Through: Mr. Abhay N. Das, Advocate.
versus
AIR FORCE NAVAL HOUSING BOARD Respondent
Through: Mr. Yoginder Handoo, Advocate.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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23.01.2024

I.A. 1701/2024

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

Application stands disposed of.

O.M.P.(MISC.)(COMM.) 51/2024

By way of the present petition filed under section 29(A)(5) of the Arbitration & Conciliation Act 1996 ('A&C Act'), the petitioner seeks extension of the mandate of the learned Sole Arbitrator, who is seized of the disputes between the petitioner and the respondent.

2. Mr. Abhay N. Das, learned counsel appearing for the petitioner submits that the learned Sole Arbitrator was appointed *vide* order dated 30.08.2019 in ARB. P. 415/2019, whereupon the first hearing in the arbitral proceedings was held on 18.09.2019. It is submitted that thereafter, some delay resulted by reason of the then prevailing COVID-19 pandemic, which period is liable to be excluded for purposes of computing the period under section 29(A)(5) as per the mandate of the Supreme Court in order dated 10.01.2022 ***In Re:***



Cognizance for Extension of Limitation¹, which *inter-alia* said that the period from 15.03.2020 till 28.02.2022 is liable to be excluded for such purpose.

3. Counsel submits that on 20.05.2023, the parties granted a consensual extension to the learned Sole Arbitrator for a period of 06 months, which also expired on 27.08.2023.
4. Issue Notice.
5. Mr. Yoginder Handoo, learned counsel appears on behalf of the respondent on advance copy; accepts notice; and does not oppose the prayer made in the petition.
6. Upon being queried, learned counsel submit that the matter is now pending for final arguments on their claims and counter-claims, and is likely to be concluded within the next about 06 months.
7. In the circumstances, the petition is allowed, thereby extending the mandate of the learned Sole Arbitrator up to 27.08.2024, as prayed for by the parties; further observing that all steps and proceedings taken in arbitration from 27.08.2023 till today also stand regularised and validated.
8. The petition is disposed-of in the above terms.
9. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 23, 2024/ak

¹ (2022) 3 SCC 117