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

+ **O.M.P.(MISC.)(COMM.) 127/2024 and I.A. 4286/2024**

BGR ENERGY SYSTEMS LIMITED

..... Petitioner

Through: Ms. Perna Sharma & Mr. Kunwar
Surya Pratap, Advocates. (M:
8920705589)

versus

TRN ENERGY PRIVATE LIMITED

..... Respondent

Through: Ms. Pallavi Anand, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **27.02.2024**

1. This hearing has been done through hybrid mode.

I.A.4286/2024 (for exemption)

2. This is an application seeking exemption from filing certified/cleared/typed or translated copies of documents, left side margins, electronic documents, etc. Original documents shall be produced/filed, if sought, strictly as per the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

3. Exemption is allowed, subject to all just exceptions.

4. Accordingly, the application is disposed of.

O.M.P.(MISC)(COMM) 127/2024

5. This is a petition filed by the petitioner - BGR Energy Systems Limited under Section 29A of the Arbitration and Conciliation Act, 1996 (*hereinafter*, "Act") seeking extension of mandate of the Arbitral Tribunal by two months.

6. Arbitration proceedings in the present matter commenced on 9th



September, 2018 where the Id. Arbitral Tribunal set down a schedule for completion of the pleadings. Subsequently, pleadings were completed on 9th January, 2019. In terms of Section 23(4) of the Act, the mandate of the Id. Arbitral Tribunal was valid till 8th January 2020 i.e. 12 months after the completion of the pleadings.

7. The mandate of the Arbitral Tribunal was extended by the consent of the parties by virtue of Section 29A(3) of the Act till 8th July, 2020. The mandate was further extended till 23rd June, 2023 *vide* order dated 3rd June, 2022. The award was reserved on 15th March, 2023.

8. While in the process of preparing the Award, the Arbitral Tribunal directed the parties to seek another extension of its mandate *vide* email dated 30th October, 2023. Subsequently, *vide* order dated 23rd November, 2023, the Court granted an extension till 28th February, 2024.

9. The Arbitral Tribunal *vide* email dated 2nd February, 2024 directed the parties to seek an additional extension and hence, the present petition, seeking an extension for at least a period of two months to enable the Arbitral Tribunal to pass an award.

10. It is submitted by both the Counsels that the arguments have been concluded in the matter and only the award is to be pronounced.

11. In this view of the matter, the mandate of the Arbitral Tribunal is extended by another three months.

12. Petition is disposed of.

PRATHIBA M. SINGH, J.

FEBRUARY 27, 2024/dk/rks/bh