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

+ **O.M.P.(MISC.)(COMM.) 205/2024**

MUKESH AGGARWAL AND ANR. Petitioners

Through: **Mr. Raghav Bansal, Advocate.**

versus

SANJAY CHAUDHARY AND ANR. Respondents

Through: **Ms. Nalini, Advocate.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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13.03.2024

1. This petition has been filed, under Section 29A of the Arbitration and Conciliation Act, 1996 [“the Act”], seeking extension of the mandate of the learned sole Arbitrator, who is in *seisin* of disputes between the parties arising out of a ‘Settlement Agreement’ and ‘Memorandum of Understanding’, both dated 19.03.2018.
2. This Court appointed a sole Arbitrator *vide* order dated 22.11.2021 in O.M.P.(I)(COMM.) 11/2020. The mandate of the learned Arbitrator initially expired on 03.06.2023. The parties, thereafter, mutually consented to the extension of the mandate of the learned Arbitrator for six months which expired on 03.12.2023.
3. Ms. Nalini, learned counsel, appears on advance notice on behalf of the respondents, and states that the respondent has no objection to the relief sought.
4. I am informed that the proceedings are at the stage of final

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arguments.

5. With the consent of learned counsel for the parties, the petition is allowed, and the mandate of the learned Arbitrator is extended for a period of one year w.e.f. 03.12.2023.

6. Mr. Raghav Bansal, learned counsel for the petitioner, states that in view of the fact that arbitral proceedings have been in progress for a substantial period of time, it may be appropriate to order some enhancement in the remuneration paid to the learned Arbitrator. Ms. Nalini states that she has no instructions in this regard. This is a matter for the learned Arbitrator and the parties to consider in accordance with the judgment of the Supreme Court in *ONGC Ltd. vs. Afcons Gunanusa JV* [2022 SCC OnLine SC 1122]. In a petition under Section 29A of the Act, the Court is not called upon to make any observation in this regard.

7. The petition stands disposed of in these terms.

PRATEEK JALAN, J

MARCH 13, 2024
SS/