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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 273/2024, I.A. 7704/2024 (Exemption)**
SARAOGI BUILDERS LTD Petitioner

Through: Ms. Risha Mittal and Ms. Simran
Mehrotra, Advocates.

versus

UNION OF INDIA Respondent
Through: Mr. T.P. Singh, Senior Central Govt.
Counsel for UOI.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
29.04.2024

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1. The Petition under Section 29A (4) and (5) of the Arbitration and Conciliation Act, 1996, has been filed on behalf of the petitioner, seeking extension of the mandate of the learned Sole Arbitrator, which has expired on 08.02.2024, for a period of six months.
2. It is submitted that the final arguments have already been concluded and the matter is pending for announcement of the Award but since the extension of mandate is not coming forth, the present Petition has been filed.
3. The respondent in his short Affidavit has asserted that since the mandate of the learned Arbitrator has already expired on 08.02.2024, the period for extension of the mandate by six months by the mutual consent of the parties, has also expired and therefore, the application is liable to be rejected.
4. **Submissions heard.**



5. Section 29A of the Arbitration and Conciliation Act, 1996 provides the time limit for delivering an Arbitral Award. Sub-Section 1 of Section 29A requires the Award to be made within 12 months from the date of completion of pleadings. Sub-Section 3 provides that, on the expiry of the mandate of the learned Arbitrator, both the parties may consent to extend the mandate of the learned Arbitrator by six months. If the parties fail to extend the period by mutual consent, they can approach the Court for extension even after the expiry of the mandate as per Sub-Sections 4 and 5, provided that sufficient cause is shown.

6. In the present matter, the final arguments have already been concluded and only the pronouncement of Award is pending. In such a circumstance, the objection taken by the respondent, is not tenable.

7. In view of the submissions made, the mandate of the learned Arbitrator is extended by six months from the date on which it expired.

8. The Petition is accordingly allowed.

NEENA BANSAL KRISHNA, J

APRIL 29, 2024/RS