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

+ **O.M.P.(MISC.)(COMM.) 298/2024**

SP SINGLA CONSTRUCTIONS PVT LTD.....Petitioner

Through: **Mr. Anirudh Wadhwa, Mr. Shashwat
Awasthi, Mr. Kartik Gupta, Advs.**

versus

STEEL AUTHORITY OF INDIARespondent

Through: **Mr. Ashish Rana, Adv.**

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

21.08.2024

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1. This is a petition under Section 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996 seeking extension of the mandate of the Arbitral Tribunal by a period of 12 months for concluding the arbitral proceedings and make and publish the Arbitral Award.
2. Since certain disputes arose between the parties, the parties had resorted to arbitration and an Arbitral Tribunal comprising of 3 learned Arbitrators was appointed whereby Justice (Retd) T.S. Dobia was nominated as the presiding Arbitrator who unfortunately passed away during the pendency of the arbitral proceedings and thereafter, Dr. Justice (Retd.) B.S. Chauhan was appointed as the presiding arbitrator and hence the arbitral proceedings have been delayed.
3. The mandate of the Arbitral Tribunal was earlier also extended by 6 months.



4. Mr. Rana, learned counsel for the petitioner has taken an objection with regard to the fact that the mandate of the arbitral tribunal has expired on 24.02.2024 and the present petition has been filed after the expiry of the mandate of the Arbitral Tribunal.
5. In this regard, this Court while considering the aspect laid down by a coordinate bench of this court in *Iqbal Singh vs Naresh Kumar*, 2023 SCC OnLine Del 7587 has already taken a view in *KMP Expressways Limited vs. IDBI Bank Limited* O.M.P.(MISC.)(COMM.) 553/2023 wherein this court held that while extending the mandate of the Arbitral Tribunal, this court is only required to see if there is sufficient cause and the parties have invested considerable time and efforts in the arbitral proceedings.
6. For the said reasons, the petition is allowed and the mandate of the Arbitral Tribunal is extended by a period of 12 months from today for continuing with the arbitration proceedings.
7. The period till today stands regularized.
8. However, the Hon'ble Supreme Court is already seized of the issue in controversy and has reserved order.
9. For the said reasons, it is directed that the arbitration proceedings may continue but the final award shall not be pronounced till the judgment is passed by the Hon'ble Supreme Court.
10. The petition is disposed of.

JASMEET SINGH, J

AUGUST 21, 2024/DM

Click here to check corrigendum, if any