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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 395/2024 & I.A.11157/2024**
SWASTIK PIPE LTD. Petitioner
Through: Ms. Ankita Kedia, Advocate.
versus

SHRI AMIT PRAHALAD TIWARI Respondent
Through: Mr. Animesh Upadhyay, Adv. for D-
4 (M- 8004919122)

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **16.05.2024**

1. This hearing has been done through hybrid mode.

I.A. 11157/2024 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

O.M.P.(MISC.)(COMM.) 395/2024

3. The present petition has been filed on behalf of the Petitioner/Claimant- Swastik Pipe Ltd. under Section 29A of the Arbitration and Conciliation Act, 1996.

4. It is stated in the petition that vide order dated 18th February, 2022 in **ARB.P. No. 182/2020** an arbitrator was appointed to adjudicate the disputes that had arisen. The Id. Arbitrator is stated to have entered reference on 16th March, 2022. The pleadings were completed on 10th November, 2022. On 30th October, 2023 the mandate of the Id. Arbitrator stood extended by a period of 6 months on joint request of the parties. Thereafter, it is stated that on 22nd November, 2023 the parties concluded their final arguments before the Id. Arbitrator and the matter is reserved for pronouncement of the award.

5. The petition further states that on 15th April, 2024 the Id. Arbitral



Tribunal directed the parties to seek an extension of the mandate of the Id. Arbitral Tribunal for pronouncement of the award.

6. The submission on behalf of the Petitioner is that the mandate of the Id. Sole Arbitrator came to an end on 9th March, 2024. Prior to that, the submissions have already been heard by the Id. Arbitral Tribunal and the award was reserved on 22nd November, 2023. Written submissions have been filed in January, 2024. A perusal of the communication of the Id. Arbitrator dated 15th April, 2024 shows that the following is recorded:

“3. Further, the parties appeared before the undersigned on 30.10.2023 and gave their respective consent to extend the period of making the award by a period of 6 months in terms Section 29A(3) of the Arbitration and Conciliation Act, 1996. Arguments were heard and the award was reserved on 22.11.2023.

4. It is seen from the above, that the twelve months period contemplated under Section 29A(1) of the Arbitration and Conciliation Act, 1996 came to an end on 09.09.2023, i.e., from date of completion of pleadings, 10.09.2022. Further, the period of 6 months mutually extended by the parties, in terms of Section 29A of the Arbitration and Conciliation Act, 1996, also came to an end on 09.03.2024.

*5. The award in the captioned arbitration proceedings is ready. **However since the period as per Section 29A of the Arbitration and Conciliation Act, 1996, has come to an end, the parties are directed to seek an extension up till 31.05.2024 for publication of the award from 09.03.2024 and intimate the details thereof to the undersigned.**”*

7. In view of the above position, the mandate of the Id. Arbitrator is extended till 31st July, 2024.



8. Petition is disposed of accordingly.
9. A copy of this order be communicated to the Id. Arbitrator on the following address:

Mr. Saket Sikri, Advocate
144, Sunder Nagar, New Delhi-110003
Phone:+9811133233

PRATHIBA M. SINGH, J.

MAY 16, 2024
Rahul/rks