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

+ O.M.P.(MISC.)(COMM.) 489/2024
NATIONAL SKILL DEVELOPMENT
CORPORATION

.....Petitioner

Through: Ms. Mani Gupta and Mr. Pranav
Malhotra, Advocates.

versus

PREMIER CENTER FOR COMPETENCY TRAINING
PRIVATE LIMITED & ORS.

.....Respondents

Through: Mr. Akshay Nagarajan, Advocate
for R-1, 5 to 8.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

21.08.2024

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1. By way of this petition, under Section 29A of the Arbitration and Conciliation Act, 1996 [“the Act”], the petitioner seeks extension of the mandate of an arbitral tribunal, which is in *seisin* of disputes between the parties under a Loan Agreement dated 29.05.2013, and facility documents related to the said loan.

2. The arbitral tribunal was originally constituted by Indian Council of Arbitration, in terms of the arbitration clause contained in the Loan Agreement. Its mandate was extended by mutual consent until 16.05.2024. Further extension is sought for a period of six months from 17.05.2024.

3. Ms. Mani Gupta, learned counsel for the petitioner, submits that the parties to the Loan Agreement and to the arbitral proceedings, were

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originally the petitioner, respondent No.1, respondent Nos. 5 to 8, and one Mr. P. K. Sridharan. By the time the arbitration proceedings commenced, Mr. P. K. Sridharan had passed away, and respondent Nos. 2 to 4, being his legal heirs, were impleaded in his place.

4. Notice of this petition was issued on 04.07.2024. Mr. Akshay Nagarajan, learned counsel for respondent Nos. 1, 5 to 8, states that the said respondents have no objection to the relief sought in the petition.

5. Notice was also issued to respondent Nos. 2 to 4. An affidavit of service dated 16.08.2024 has been filed by the petitioner, which states that respondent Nos. 2 to 4 have been served through counsel, who appears on their behalf in the arbitral proceedings. The learned counsel has informed the petitioner that he does not have instructions. Notice was served upon the said parties by speed post and courier also, and the tracking reports have been annexed to the affidavit of service.

6. Additionally, respondent No. 2 has been served by email at an email address from which she has corresponded with the learned arbitrator.

7. Respondent Nos. 2 to 4 have not appeared to contest the petition.

8. In these circumstances, the petition is allowed, and the mandate of the arbitral tribunal is extended by a period of six months from 17.05.2024.

PRATEEK JALAN, J

AUGUST 21, 2024
SS/