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

+ **O.M.P.(MISC.)(COMM.) 564/2024**

M/S COSLIGHT INFRA COMPANY PVT. LTD.Petitioner

Through: **Mr. Atul Sharma and Ms. Abhilasha
Sharma, Advocates.**

versus

M/S CONCEPT ENGINEERS & ORSRespondents

Through: **Ms. Radhika Goel, Advocate for
Respondent Nos.1 to 3**

**CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

ORDER

18.12.2024

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I.A. 48860/2024

1. This application under Sections 151 and 152 CPC has been filed on behalf of the Petitioner seeking directions/clarification of the Judgment dated 05.11.2024 passed in O.M.P. (COMM) No.335/2023.
2. It is stated that *vide* Order dated 05.11.2024 passed by this Court two petitions i.e. petition under Section 34 of the Arbitration and Conciliation Act, 1996 and the petition under Section 29A(5) of the Arbitration and Conciliation Act, 1996 have been decided. *Vide* Order dated 05.11.2024, this Court rejected the petition under Section 34 of the Arbitration and Conciliation Act, 1996. However, the Court has not considered the petition filed under Section 29A(5) of the Arbitration and Conciliation Act, 1996 for extension of mandate of the Arbitral Tribunal. The said fact has now been



brought to the notice of this Court by filing the present application.

3. It is stated by learned Counsel for the Petitioner that the mandate of the Arbitral Tribunal has expired on 01.09.2023. It is stated that the evidence is being recorded by the Arbitral Tribunal.

4. The Apex Court in Rohan Builders (India) Private Limited v. Berger Paints India Limited, **2024 SCC OnLine SC 2494**, has held that an application for extension of the time period for passing an arbitral award under Section 29A(4) read with Section 29A(5) is maintainable even after the expiry of the twelve-month or the extended six-month period, as the case may be.

5. Accordingly, this Court is inclined to regularize the period from 01.09.2023 till today and further extend the mandate of the Arbitral Tribunal for a further period of one year i.e. till 19.12.2025 so that the award can be pronounced.

6. The application is disposed of with the consent of the parties.

SUBRAMONIUM PRASAD, J

DECEMBER 18, 2024

RJ