



2024:DHC:6672



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **O.M.P.(MISC.)(COMM.) 641/2023****TCNS CLOTHING COMPANY LIMITED**PetitionerThrough: Mr. Anish Ram Dabas and Ms.
Shreya S. Dabas, Advocate

versus

A AND A ENTERPRISES & ORS.RespondentsThrough: Mr. Dhruv Gupta and Mr.
Anubhav Garg, Advocates for R2, Mr.
Ravinder Singh, Advocate for R3**CORAM:****HON'BLE MR. JUSTICE C. HARI SHANKAR****JUDGMENT (ORAL)**

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30.08.2024

1. This is a petition under Section 29A(5) of the Arbitration and Conciliation Act 1996¹ for extension of the mandate of the Arbitral Tribunal, which expired in 2023.

2. Respondents 2 and 3 alone are represented.

3. Learned counsel for Respondent 3 has raised a grievance that his client was wrongly impleaded by the learned Arbitrator though it was not originally a party to the arbitral proceedings.

4. The reply filed by Respondent 2 essentially raised a grievance

¹ "the 1996 Act", hereinafter



2024:DHC:6672



against the manner in which the arbitration proceedings were being conducted. Neither of the replies sets out any reason why the mandate of the Arbitral Tribunal should not be extended. The grounds urged in the replies filed by Respondent 2 and Respondent 3 are issues which are extraneous to the aspect of extension of the mandate of the Arbitral Tribunal and if so advised would have to be taken up in collateral proceedings.

5. In view of the aforesaid, this Court is inclined to extend the mandate of the learned Arbitral Tribunal. The mandate shall therefore stand extended by a period of six months from today.

6. All grievances raised in the replies filed by the respondents shall be kept open to be urged by them in accordance with law before the learned Arbitral Tribunal or otherwise.

7. Learned counsel for Respondent 3 submits that the petitioner has provided the email ID of Respondent 3 for Respondent 4, which is impermissible. However, the Court notes that all the respondents have been shown to be at the same physical address.

8. The petition is disposed of accordingly.

C. HARI SHANKAR, J.

AUGUST 30, 2024/yg

Click here to check corrigendum, if any