



\$~43

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

+ **O.M.P.(MISC.)(COMM.) 722/2024**

**SWARANJIT SINGH NARULA SECURITY
AGENCY**

.....Petitioner

Through: Mr. Tarun Bhatt, Advocate.

versus

NTPC LIMITED

.....Respondent

Through: Mr. Anish Gupta and Ms. Raina
Anand, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

12.09.2024

%

1. The petitioner has filed this petition under Section 29A of the Arbitration and Conciliation Act, 1996 [“the Act”], for extension of the mandate of a learned arbitrator, who is in *seisin* of disputes between the parties pursuant to an order of this Court dated 09.11.2022 in ARB.P. 745/2022.

2. I am informed that arguments of both parties have been concluded and the award was reserved on 06.07.2024.

3. The only objection raised by learned counsel for the respondent is that the present petition has been filed on 09.09.2024, after the mandate of the learned arbitrator expired on 03.09.2024. This Court has held in *ATC Telecom Infrastructure (P) Ltd. v. BSNL* [2023 SCC OnLine Del 7135] and in *Wadia Techno-Engineering Services Ltd. v. Director General of Married Accommodation Project* [2023 SCC OnLine Del

O.M.P.(MISC.)(COMM.) 722/2024

Page 1 of 2



2990] that a petition under Section 29A of the Act is maintainable even if it is filed after the expiry of the existing mandate of the learned arbitrator. While this question is pending before the Supreme Court in view of a conflict of decisions between different High Courts, the view taken by this court has not been stayed.

4. As there is no other objection to the extension of the mandate of the learned arbitrator, the petition is allowed, and the mandate of the learned arbitrator is extended till 31.12.2024.

5. The petition stands disposed of.

PRATEEK JALAN, J

SEPTEMBER 12, 2024

SS/