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

+ O.M.P.(MISC.)(COMM.) 737/2024, I.A. 39832/2024 & I.A. 39833/2024

DELHI WASTE MANAGEMENT LIMITEDPetitioner

Through: Mr. Aditya Verma, Mr. Samar Singh and Mr. K. Rigved Prasad, Advocates.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Manu Chaturvedi, Standing Counsel with Mr. Kunal Vajani, Mr. Kunal Mimani and Ms. Devika Singh Roy Choudhary, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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19.09.2024

1. The petitioner (claimant in arbitral proceedings) has filed this petition under Section 29A of the Arbitration and Conciliation Act, 1996 [“the Act”] for extension of the mandate of the learned arbitral tribunal, which is in *seisin* of disputes between the parties under a Concession Agreement dated 31.01.2005.
2. The learned arbitral tribunal was appointed by an order of this Court dated 24.08.2021 in ARB.P. 545/2021.
3. It is evident from the record that final arguments were completed on 11.12.2023, and four weeks’ time was granted to the parties to file their written submissions. I am informed that the written submissions



were filed on 12.01.2024.

4. As the mandate of the learned arbitral tribunal expired on 12.03.2024 (after a consensual extension of six months), the petitioner approached this Court for a further extension of time in O.M.P.(MISC.)(COMM.) 258/2024. By an order dated 28.03.2024, the Court noted that only the award was to be pronounced and, therefore, granted an extension by a period of six months. However, the learned arbitral tribunal has directed the parties to seek a further extension of three months for publication of the award.

5. Learned counsel for the respondent-Municipal Corporation of Delhi submits that the award has already been reserved for approximately nine months. However, having regard to the fact that the entire arbitral proceedings have been concluded, he consents to the extension of the mandate for three months, without prejudice to any grounds available to the respondent under Section 34 of the Act, if the award is ultimately against the respondent.

6. Having regard to the above, the petition is disposed of with the direction that the mandate of the Arbitral Tribunal is extended for a further period of three months w.e.f. 13.09.2024.

7. The petition is disposed of in terms of the above.

PRATEEK JALAN, J

SEPTEMBER 19, 2024/MR/