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

+ **O.M.P. (MISC.) 37/2024**

CBRE SOUTH ASIA PVT. LTD.Petitioner

Through: Mr. Priyam Kamra, Advocate.

versus

HAIER APPLIANCES (INDIA) PVT. LTD.Respondent

Through: Ms. Saloni Dwary, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **21.10.2024**

I.A. 42690/2024 (Exemption)

Allowed, subject to all just exceptions.

O.M.P. (MISC.) 37/2024

1. This Petition under Section 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996, read with Section 7 of the Commercial Courts Act, 2015, has been filed by the Petitioner for extending the mandate of the sole arbitrator in the Arbitration proceedings which are going on between the parties.

2. Material on record indicates that this Court *vide* Order dated 15.03.2022 in ARB.P.1223/2021, appointed Ms. Anita Sahani, Advocate, as the Arbitrator, to adjudicate upon the disputes between the parties.

3. It is stated that the mandate of the Tribunal expired on 12.10.2022 and an application seeking extension of the mandate of the learned Arbitrator was filed before this Court and this Court *vide* Order dated 26.04.2024



extended the mandate of the Arbitrator till 12.10.2024.

4. It is stated by the learned Counsel for the Petitioner that cross-examination of the witnesses has been completed, evidence has been closed and the matter is fixed for final arguments on 19.10.2024. It is therefore, stated that the mandate of the Arbitrator be extended for a period of six months.

5. 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.

6. Accordingly, this Court is inclined to extend the mandate of the Arbitral Tribunal for a further period of six months, i.e. till 12.04.2025, so that the award can be pronounced and no further extension of time would be required by the Tribunal.

7. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

OCTOBER 21, 2024

Rahul