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

+ O.M.P.(MISC.)(COMM.) 835/2024

OVERNITE EXPRESS LIMITED

.....Petitioner

Through: Mr. Rohit Gandhi, Mr. Adhish
Srivastava and Mr. Hargun Singh
Kalra, Advocates

versus

DELHI METRO RAIL CORPORATION

.....Respondent

Through: Mr. Nitin, Advocate.

+ O.M.P.(MISC.)(COMM.) 836/2024

OVERNITE EXPRESS LIMITED

.....Petitioner

Through: Mr. Rohit Gandhi, Mr. Adhish
Srivastava and Mr. Hargun Singh
Kalra, Advocates

versus

DELHI METRO RAIL CORPORATION

.....Respondent

Through: Mr. Nitin, Advocate.

+ O.M.P.(MISC.)(COMM.) 837/2024

OVERNITE EXPRESS LIMITED

.....Petitioner

Through: Mr. Rohit Gandhi, Mr. Adhish
Srivastava and Mr. Hargun Singh
Kalra, Advocates



versus

DELHI METRO RAIL CORPORATION

.....Respondent

Through: Mr. Nitin, Advocate.

+ O.M.P.(MISC.)(COMM.) 838/2024

OVERNITE EXPRESS LIMITED

.....Petitioner

Through: Mr. Rohit Gandhi, Mr. Adhish
Srivastava and Mr. Hargun Singh
Kalra, Advocates

versus

DELHI METRO RAIL CORPORATION

.....Respondent

Through: Mr. Nitin, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

22.10.2024

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1. These Petitions under Section 29A of the Arbitration and Conciliation Act, 1996 have been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.
2. Material on record indicates that the Arbitral Tribunal was appointed by this Court on 22.08.2022. Material on record indicates that the mandate of the Arbitral Tribunal was further extended for one year upto 03.10.2024 with the consent of both the parties.
3. Learned Counsel for the Petitioner states that the second witness of



the Claimant has to be examined. He states that since voluminous documents have to be examined and considered, and lengthy examination is going on, the mandate of the Arbitral Tribunal may be extended for further one year.

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. In view of the facts of the present case, this Court is inclined to extend the mandate of the Arbitral Tribunal for a period of one year from today, so that the award can be pronounced.

6. The Petitions are disposed of, along with the pending application(s), if any.

SUBRAMONIUM PRASAD, J

OCTOBER 22, 2024

S. Zakir