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

+ **O.M.P.(MISC.)(COMM.) 843/2024**

SEVEN HILLS PROJECT PRIVATE LIMITEDPetitioner

Through: **Mr. Abhay Singh and Mr. Parijat
Kishore, Advocates.**

versus

ORIENTAL STRUCTURAL ENGINEERS PVT. LTD.

.....Respondent

Through: **Mr Ravi Krishan Chandna, ADV and
Ms Sandna Sharma, ADV**

+ **O.M.P.(MISC.)(COMM.) 844/2024**

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.....Respondent

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Ms Sandna Sharma, ADV**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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24.10.2024

I.A. 43174/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 843/2024

I.A. 43207/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 844/2024

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 843/2024



O.M.P.(MISC.)(COMM.) 844/2024

1. These Petitions under Section 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996, read with Section 7 of the Commercial Courts Act, 2015, have 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 15.03.2021 in ARB.P. Nos. 644/2020 & 658/2020 appointed Mr. Justice Brijesh Sethi (Retd.), former Judge of this Court, to adjudicate upon the disputes between the parties.
3. It is stated that the mandate of the Tribunal was extended from time to time and the last such extension was granted by this Court vide orders dated 22.11.2023 & 05.12.2023 by which the mandate of the Tribunal was extended till 30.09.2024. The present Petition has been filed seeking extension of mandate of the Arbitral Tribunal by eight months.
4. It is stated by the learned Counsel for the Petitioner that the evidence of Petitioner has been concluded and the matter is at the stage of final arguments.
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. In view of the submissions made by the learned Counsel for the Petitioner, this Court is inclined to extend the mandate of the Arbitral



Tribunal for a further period of 08 months, i.e. till 30.05.2025, so that the award can be pronounced and no further extension of time would be required by the Tribunal.

7. The Petitions are disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

OCTOBER 24, 2024

Rahul