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

+ **O.M.P.(MISC.)(COMM.) 855/2024**

BATHLA TELETECH PRIVATE LIMITEDPetitioner

Through: Mr. Bhavya Sethi, Mr. Sudeep Singh
and Mr. Shiven Khurana, Advocates

versus

APPLE INDIA PRIVATE LIMITEDRespondent

Through: Mr. Kushal Gupta, Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **04.11.2024**

I.A. 44025/2024 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 855/2024

1. This is a petition under Section 29A(4) & 29A(5) of the Arbitration & Conciliation Act, 1996 for extending the mandate of the Arbitral Tribunal for a period of six months in the arbitration proceedings which are going on between the parties before the Arbitral Tribunal.

2. Material on record indicates that the Arbitral Tribunal was constituted on 20.01.2023. It is stated that the mandate of the Arbitral Tribunal was extended on 26.02.2024 for a period of six months for making the award. It is stated that the time period for making the award has come to an end on 14.08.2024 and therefore the Petitioner has approached this Court for extension of time for making the award.



3. Material on record discloses that an application under Section 16 of the Arbitration & Conciliation Act has been filed and the Arbitrator has directed the parties to file evidence by way of affidavit. It is stated by the learned Counsel for the Petitioner that additional time of one year would be required for making the Arbitral Award.

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 above, this Court is inclined to extend the mandate of the Arbitral Tribunal for a further period of one year so that the Award can be pronounced and no further extension of time would be required by the Tribunal.

6. The petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

NOVEMBER 4, 2024

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