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

+ O.M.P.(MISC.)(COMM.) 865/2024 and IA No.44317/2024

SAMSUNG INDIA ELECTRONICS PRIVATE LTDPetitioner
Through: Mr. Rajeev Kumar, Advocate
(through VC)
versus

XPERT SOLUTIONSRespondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA
ORDER
13.12.2024

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1. This is a petition under Section 29A (4) & (5) seeking extension of time for completion of the arbitral proceedings and making of the arbitral award.
2. The arbitral proceedings are in the context of Agreements dated 01.04.2015 between the parties being, Authorized Service Centre Agreement ('ASC Agreement') and Spare Parts Agreement ('SP Agreement').
3. It is noticed that *vide* order dated 04.03.2021 passed by this Court in O.M.P. (T) (COMM.) 14/2021, this Court had directed that although the arbitrator was appointed by the petitioner, the said appointment "be construed as an appointment by this Court and not by the petitioner".
4. Learned counsel for the petitioner submits that the arbitral proceedings are at an advanced stage; evidence is the process of being adduced before the learned sole arbitrator.
5. The order dated 17.10.2024 passed by the learned Arbitrator records



as under:-

“The Learned Counsel for the Claimant informs the Tribunal that the mandate of the Tribunal needs to be extended in terms of the provision of Arbitration & Conciliation Act, 1996. Let the parties take necessary steps in getting such extension from the Hon'ble Court. The parties shall inform the Tribunal of the grant of such extension. The next date of hearing shall be fixed by the Tribunal only after the communication from the parties of such extension. The parties shall mutually agree to convenient date for further proceedings and convey it to the Tribunal. On the next date of hearing the application of the Claimant dated 06.01.2023 shall be taken up.”

6. Considering the aforesaid, the time period for completion of the arbitral proceedings and making of the arbitral award, is extended by a period of six months from today.

7. The present petition is allowed in the above terms.

SACHIN DATTA, J

DECEMBER 13, 2024/r