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

+ **O.M.P.(MISC.)(COMM.) 867/2024 & I.A. 44364/2024**

KRITI MACHINERY PVT LTD

.....Petitioner

Through: Mr. N.L. Ganapathi & Ms. Rini V.
Tigga, Advocates.

versus

MICRO-TECH CNC PVT LTD

.....Respondent

Through: Mr. Setu Niket, Mrs. Esha Mazumdar,
Mr. Devansh Khatter, Mr. Ishan
Singh and Mr. Unni Maya,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

07.11.2024

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1. The Petitioner has filed the instant petition under Section 29A(5) & 29A(6) of the Arbitration & Conciliation Act, 1996 with the following prayers:-

"I. grant further extension of the mandate of the Arbitral Tribunal till 31.10.2025 in Case No. DIAC/3544D/11-12 titled "Kriti Machinery Pvt. Ltd. Vs. Micro-Tech CNC Pvt. Ltd.";

II. substitute the Sole Arbitrator in exercise of the power under Section 29 A(6) of the Arbitration and Conciliation Act, 1996, or in the alternative, direct DIAC to appoint the substitute Sole Arbitrator; and

III. pass such other further or other orders as this Hon'ble Court may deem fit in the facts and circumstances of the case."



2. Learned Counsel for the Petitioner very fairly states that he is not pressing prayer (II).
3. As far as prayer (I) is concerned, the same is for extension of mandate of the Arbitral Tribunal till 31.10.2025. It is stated that since the time period for making the award has come to an end on 31.10.2024, the Petitioner has approached this Court seeking extension of time for making the award. 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. 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.
5. Both parties are directed to cooperate with the Arbitrator in proceeding ahead with the matter and ensure that the award is pronounced within a period of one year.
6. The petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

NOVEMBER 7, 2024

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