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

+ O.M.P.(MISC.)(COMM.) 868/2024

M/S YELLOW BARS INDIA PRIVATE LIMITEDPetitioner

Through: Mr. Ayush Jain & Mr. Mohit Singh,
Advocates.

versus

M/S HUMMINGBIRD HOSPITALITY AND HEALTHCARE

.....Respondent

Through: Mr. Rajat Joseph, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

08.11.2024

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1. This Petition under Section 29A(4) and (5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Sole Arbitrator for a period of one year.
2. Material on record indicates that the Sole Arbitrator was appointed by this Court on 06.02.2023. The mandate of the Sole Arbitrator has expired on 08.10.2024.
3. There are certain averments in the petition which deals with the merits of the case. The said averments are expunged from the petition.
4. It is stated that pleadings are complete and the matter is ripe for framing of issues.
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 facts of the present case, this Court is inclined to extend the mandate of the Sole Arbitrator for a period of one year from today, so that the award can be pronounced.

7. Learned Counsel for both sides are requested to co-ordinate with the Ld. Arbitrator to ensure that that the award is pronounced within the extended period.

8. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

NOVEMBER 8, 2024

S. Zakir