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

+ O.M.P.(MISC.)(COMM.) 870/2024

M/S KBG ENGINEERS

.....Petitioner

Through: Mr. Avinash Trivedi, Mr. Anurag
Kaushik, Mr. Rahul Aggarwal, Advs.

versus

DELHI TOURISM AND TRANSPORTATION DEVELOPMENT
CORPORATION LTD

.....Respondent

Through: Mr. Suresh Tripathy, Advocate.

+ O.M.P.(MISC.)(COMM.) 871/2024

M/S KBG ENGINEERS

.....Petitioner

Through: Mr. Avinash Trivedi, Mr. Anurag
Kaushik, Mr. Rahul Aggarwal, Advs.

versus

DELHI TOURISM AND TRANSPORTATION DEVELOPMENT
CORPORATION LTD

.....Respondent

Through: Mr. Suresh Tripathy, Advocate.

+ O.M.P.(MISC.)(COMM.) 876/2024

M/S KBG ENGINEERS

.....Petitioner

Through: Mr. Avinash Trivedi, Mr. Anurag
Kaushik, Mr. Rahul Aggarwal, Advs.

versus

DELHI TOURISM AND TRANSPORTATION DEVELOPMENT
CORPORATION LTD

.....Respondent

Through: Mr. Suresh Tripathy, Advocate.

+ O.M.P.(MISC.)(COMM.) 877/2024



M/S KBG ENGINEERS

.....Petitioner

Through: Mr. Avinash Trivedi, Mr. Anurag
Kaushik, Mr. Rahul Aggarwal, Advs.

versus

DELHI TOURISM AND TRANSPORTATION DEVELOPMENT
CORPORATION LTD

.....Respondent

Through: Mr. Suresh Tripathy, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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11.11.2024

I.A. 44549/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 870/2024

I.A. 44550/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 871/2024

I.A. 44609/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 876/2024

I.A. 44610/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 877/2024

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 870/2024

O.M.P.(MISC.)(COMM.) 871/2024

O.M.P.(MISC.)(COMM.) 876/2024

O.M.P.(MISC.)(COMM.) 877/2024

1. These Petitions under Section 29A(4) of the Arbitration and Conciliation Act, 1996 have been filed by the Petitioner for extending the mandate of the Sole Arbitrator.
2. Material on record indicates that the Sole Arbitrator was appointed by this Court on 03.06.2022. Material on record indicates that the last of the mandate of the Sole Arbitrator was extended by this Court till 29.10.2024.
3. It is stated that final arguments have been heard and the matters have been reserved by the Ld. Arbitrator for passing the 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 facts of the present cases, this Court is inclined to extend the mandate of the Sole Arbitrator till 28.02.2025, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

NOVEMBER 11, 2024

S. Zakir