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

+ **O.M.P.(MISC.)(COMM.) 893/2024**

ROHIT DESAI

.....Petitioner

Through: Mr. Vikas Mishra, Advocate.

versus

EMAAR INDIA LIMITED

.....Respondent

Through: Mr. Dhruv Rohatgi, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **18.11.2024**

I.A. 45209/2024 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 893/2024

1. This Petition under Section 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Sole Arbitrator.
2. Material on record indicates that the Sole Arbitrator was appointed on 09.04.2021. Material on record indicates that the last of the mandate of the Sole Arbitrator was extended by this Court till 31.10.2024.
3. 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.

4. 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 six months from today, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

NOVEMBER 18, 2024

S. Zakir