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

+ **O.M.P.(MISC.)(COMM.) 948/2024**

**MS BALWINDER SINGH SAINI THROUGH ITS SOLE
PROPRIETOR**Petitioner

Through: Ms. Aashna Mehra and Mr. Utsav
Saxena, Advocates

versus

NORTHERN RAILWAYS THROUGH SENIOR DME CHG

.....Respondent

Through: Mr. Sushil Kumar Pandey SPC, Ms.
Richa Pandey Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **05.12.2024**

I.A. 47227/2024 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 948/2024

1. This Petition under Section 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996, read with Section 7 of the Commercial Courts Act, 2015, has been filed by the Petitioner for extending the mandate of the sole arbitrator in the Arbitration proceedings which are going on between the parties.
2. Material on record indicates that Mr. J. P. Sengh, Sr. Advocate, was appointed as the Arbitrator by this Court vide Order dated 02.12.2022, to adjudicate upon the disputes between the parties.
3. It is stated that the mandate of the Arbitrator has expired on



02.12.2024. The present Petition has been filed seeking extension of mandate of the Arbitrator.

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. Accordingly, this Court is inclined to extend the mandate of the Arbitral Tribunal for a further period of six months with effect from 02.12.2024, i.e. till 02.06.2025 so that the award can be pronounced and no further extension of time would be required by the Tribunal.

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

SUBRAMONIUM PRASAD, J

DECEMBER 05, 2024

Rahul