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

+ O.M.P.(MISC.)(COMM.) 955/2024

DEEPAK CABLES (INDIA) LIMITEDPetitioner

Through: Mr Aditya Verma, Mr K Rigved
Prasad, Advocates

versus

POWER GRID CORPORATION OF INDIA LIMITED

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **10.12.2024**

I.A. 47777/2024, I.A. 47778/2024 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 955/2024, I.A. 47779/2024

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 Arbitral Tribunal in the Arbitration proceedings which are going on between the parties.

2. Material on record indicates that Arbitral Tribunal consisting of Dr. Justice Arijit Pasayat (former Judge of the Supreme Court of India), Mr. Justice Amitava Lala (Former Judge of the Allahabad High Court) and Mr. KK Agrawal was constituted to adjudicate on the disputes between the parties.



3. It is stated that the mandate of the Tribunal is being extended from time to time and the last such extension was granted by this Court vide Order dated 07.12.2023. It is stated that the mandate of the Arbitral Tribunal expired on 07.12.2024
4. It is stated that the mandate of the Arbitrator be extended for a period of one year.
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. Accordingly, this Court is inclined to extend the mandate of the Arbitral Tribunal for a further period of one year, i.e. till 07.12.2025, so that the award can be pronounced and no further extension of time would be required by the Tribunal.
7. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

DECEMBER 10, 2024

Rahul