



\$~59

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

+ **O.M.P.(MISC.)(COMM.) 960/2024**

ARYAN INFRAHEIGHT P LTD

.....Petitioner

Through: Mr. Parivesh Singh, Mr. Sameer
Chandwani, Advocates

versus

TDI INFRASTRUCTURE LIMITED

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **12.12.2024**

I.A. 48068/2024 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 960/2024

1. The instant petition under Section 29A(4) and (5) of the Arbitration & Conciliation Act, 1996 has been filed by the Petitioner seeking extension of the mandate of the Arbitral Tribunal for a period of six months.
2. Material on record indicates that the Arbitral Tribunal was appointed by this Court on 19.01.2023. It is stated that since the mandate of the Tribunal has come to an end on 10.12.2024, the Petitioner has approached this Court seeking extension of the mandate of the Arbitral Tribunal for making the Award.
3. A perusal of the list of dates indicates that on 31.08.2024, cross-examination of witnesses of both the parties was concluded and the matter



was fixed for arguments.

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 the facts and circumstance of this case, this Court is inclined to extend the mandate of the Arbitral Tribunal for a further period of six months from 10.12.2024 so that the Award can be pronounced.

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

SUBRAMONIUM PRASAD, J

DECEMBER 12, 2024

RJ