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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 983/2024**

DOST HOSPITALITY SERVICES PVT LTDPetitioner
Through: Mr. Debesh Panda, Mr. Kanishk
Aggarwal and Mr. V.D. Verma,
Advocates

versus

OYO HOTELS AND HOMES PVT. LTD. & ORS.Respondents
Through: Mr. Sandeep Kumar Mahapatra, Mr.
Tribhuvan and Mr. Ishan Malhotra,
Advocates

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **20.12.2024**

1. This is a petition filed under Section 29A (4) and (5) of the Arbitration and Conciliation Act, 1996 read with Section 7 of the Commercial Courts Act, 2015 seeking extension of the mandate of the arbitral tribunal comprising of the Sole Arbitrator till 30.06.2025.
2. It is stated that the Sole Arbitrator was appointed on 29.07.2020 and the pleadings were completed on 23.11.2021.
3. It is stated that the Petitioner herein thereafter has filed the evidence affidavits of its two witnesses on 29.05.2020 and the matter is still at the stage of recording of the evidence of CW-1.
4. It is stated that the mandate of the tribunal was mutually extended by the parties by a period of six (6) months under Section 29A (3) by filing a joint memorandum on 01.03.2023; in terms of which the mandate of the arbitral tribunal was first extended till 31.08.2023.
5. It is stated that the mandate of the arbitral tribunal was thereafter



extended by this Court vide order dated 26.09.2023 in O.M.P. (MISC.) (COMM.) 335/2023 until 30.04.2024.

6. It is stated that the mandate of the arbitral tribunal was extended again by this Court vide order dated 03.05.2024 in O.M.P. (MISC.) (COMM.) 355/2024 till 31.10.2024.

7. It is stated that the last hearing was held in September, 2024 for recording the evidence of CW-1 and the matter is next listed on 04.01.2025.

8. Learned counsel for the Respondent, who enters appearance on advance service states that during the intervening period between 29.05.2022 and September, 2024 the parties were exploring a possibility of a mutual settlement; and therefore, proceedings remained pending.

9. He states, however, now that the settlement talks are failed, the parties have proceeded with the arbitration; and the same will be concluded expeditiously.

10. He states that therefore Respondent as well requests for extension of the mandate until 30.06.2025.

11. In addition, the parties jointly submit that a direction be issued to the arbitral tribunal to finalize its fee. Parties state the request for finalization has been pending for some time. It is stated that last request for finalization of fee was sent vide e-mail dated 01.09.2024.

12. This Court has considered the submissions of the parties and in view of the dates noted hereinabove and the joint request of the parties, this Court extends the mandate of the arbitral tribunal until 30.06.2025 keeping in view the period, which has lapsed since initial of the appointment. The parties are directed to cooperate with the tribunal in expeditious disposal of the proceedings and not seek any unnecessary adjournments.



13. In addition, the learned sole Arbitrator is requested to finalize the fee schedule and communicate to the parties within a period of eight (8) weeks from today, to avoid any disputes in this regard at a subsequent stage.

14. With the aforesaid directions, the petition stands disposed of.

MANMEET PRITAM SINGH ARORA, J

DECEMBER 20, 2024/rhc/ms