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

+ **O.M.P.(MISC.)(COMM.) 1006/2024**

BHATIA ENGINEERING COMPANYPetitioner

Through: Mr. Abhinandan Jain and Dr.
Swaroop George, Advocates

versus

GOA SHIPYARD LTDRespondent

Through: Mr. Anant Gautam, Mr. Dinesh
Sharma and Mr. Dipankar Chaudhary
and Mr. Sarthak, Advocates

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **23.12.2024**

1. This is a petition under Section 29A of the Arbitration and Conciliation Act, 1996 ('Act of 1996') seeking extension of mandate of the Sole Arbitrator by a period of four (4) months w.e.f. 31.10.2024 for passing of the arbitral award.

2. It is stated that the arbitration proceedings commenced on 26.08.2019 and the pleadings were completed on 14.10.2019. The statutory period of one (1) year to make the award under Section 29A of the Act of 1996 was completed in October, 2022. However, the time limit for passing the award was extended till 30.04.2024 vide Order dated 21.12.2023 passed by this Court in O.M.P.(MISC.)(COMM.) 614/2023 and thereafter, the time was extended till 31.10.2024 vide Order dated 25.04.2024 passed by this Court in O.M.P.(MISC.)(COMM.) 316/2024.



3. It is stated that the arbitration proceedings are at an advanced stage, arguments have been concluded by both the parties and the matter is ready for passing of the award.
4. Learned counsel for the Petitioner states that though in the petition, a relief has been sought for extension of the mandate of the Arbitral Tribunal upto 28.02.2025; however, keeping in the view the intervening winter vacation and the delay in filing of the captioned petition, the mandate of the Arbitral Tribunal may be extended w.e.f. 31.10.2024 until 31.03.2025.
5. Mr. Sarthak, Advocate enters appearance on behalf of the Respondent. He states that he does not dispute the submissions on facts pertaining to the mandate of the Arbitral Tribunal made in this petition. He states that he however disputes the submissions made in the petition qua the merits of the dispute.
6. Having considered the averments made in the petition, the petition is allowed and the mandate of the Sole Arbitrator for passing of an arbitral award is extended by a period of five (5) months w.e.f. 31.10.2024 until 31.03.2025.
7. Accordingly, the petition is disposed of, along with the pending applications, if any.
8. It is clarified that the order passed herein is without prejudice to the rights and contentions of the parties and the merits of the disputes; and nothing in this order is an expression of opinion on the rival contentions of the parties.

MANMEET PRITAM SINGH ARORA, J
DECEMBER 23, 2024/msh/MG

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