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

+ **O.M.P.(MISC.)(COMM.) 45/2025**

**LALITPUR POWER GENERATION COMPANY LTD**

.....Petitioner

Through: Mr. Aman Vachher, Mr. Ashutosh Dubey, Mr. Dhiraj, Ms. Abhiti Vachher, Mr. Akshat Vachher, Mr. Amit Kumar, Mr. Jasvinder, Advocates.

versus

**BHARAT HEAVY ELECTRICALS LTD**

.....Respondent

Through: Mr. Kartik Nayar, Mr. Krish Kalra and Mr. Kashish Bansal, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**17.01.2025**

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**I.A. 1171/2025 (Exemption)**

Allowed, subject to all just exceptions.

**O.M.P.(MISC.)(COMM.) 45/2025**

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 seeking extension of mandate of the Arbitral Tribunal for making the arbitral award.
2. Material on record discloses that to adjudicate on the disputes between the parties, Arbitral Tribunal, comprising of three Arbitrators, was constituted on 11.09.2019. By mutual consent, the mandate of the Tribunal was extended till 30.09.2023. This Court *vide* Order dated 27.09.2023 extended the mandate of the Arbitral Tribunal till 31.12.2024. It is stated



that the matter is at the stage of final hearing. The Petitioner has, therefore, approached this Court for extension of time for making the award.

3. 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.

4. In view of the fact that the matter is at the advance stage, this Court is inclined to extend the mandate of the Arbitral Tribunal till 31.12.2025 with effect from 31.12.2024 so that the Award can be pronounced and no further extension of time would be required by the Tribunal.

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

**SUBRAMONIUM PRASAD, J**

**JANUARY 17, 2025**

*Rahul*