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

+ **O.M.P. (MISC.) 3/2025**

SHARAD BHANSALI & ANR

.....Petitioners

Through: Mr. Anshumaan Sahni, Advocate

versus

MUKESH AGGARWAL & ANR

.....Respondents

Through: Mr Raghav Bansal with Mr Shashwat
Bansal, Advs for R-1
Mr. Dhurv Madam, Mr. Pranshu Paul,
Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

23.01.2025

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I.A. 1773/2025 (Exception)

Allowed, subject to all just exceptions.

O.M.P. (MISC.) 3/2025

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 Petitioners for extending the mandate of the sole Arbitrator in the Arbitration proceedings which are going on between the parties.
2. Material on record indicates that this Court *vide* Order dated 02.05.2022, appointed an Arbitrator to adjudicate upon the disputes between the parties.
3. It is stated that the mandate of the Arbitrator has expired on



28.12.2024

4. It is stated by the learned Counsel for the Petitioners that the matter is at the stage of evidence and, therefore, the mandate of the Arbitrator be extended.

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 31.12.2025, 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

JANUARY 23, 2025

RJ