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

+ **O.M.P.(MISC.)(COMM.) 85/2025**

IMPRESSIVE DATA SERVICE PVT. LTD.Petitioner

Through: **Mr. Shivnath Mahanta, Advocate.**

versus

UNION OF INDIA AND ANR & ANR.Respondents

Through: **Mr. Jagdish Chandra, CGSC for UoI
with Mr. Shubham Kumar Mishra,
Advocate.**

**Mr. Rahul Shukla and Ms. Bachita
Baruah Shukla, Advocates for
ALIMCO.**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

28.01.2025

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I.A. 2197/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 85/2025

1. This Petition under Section 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996, has been filed by the Petitioner 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 *vide* Order dated 03.03.2022, this Court has referred the matter to DIAC, Delhi for appointment of Arbitrator to adjudicate on the disputes of the parties. It is stated that on 03.01.2023, an Arbitrator was appointed to adjudicate upon the disputes which have arisen



between the parties.

3. It is stated that the mandate of the Tribunal is being extended from time to time. It is stated that the mandate of the Arbitrator expired on 18.01.2025.

4. It is stated by the learned Counsel for the Petitioner that the parties that the matter is at the stage of cross-examination of witnesses of the Respondent 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 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 28, 2025

RJ