



\$~59

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

+ **O.M.P.(MISC.)(COMM.) 93/2025**

MR ASHMEET SINGH

.....Petitioner

Through: Mr. Nikhil Malhotra and Mr. Prateek
Solanki, Advocates.

versus

M/S MSD TELEMATICS PVT. LTD & ORS.

.....Respondents

Through: Mr. Murari Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

30.01.2025

%

I.A. 2386/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 93/2025

1. This Petition under Section 29A(3) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.
2. Material on record indicates that the Petitioner had approached this Court by filing a petition under Section 9 of the Arbitration and Conciliation Act, 1996 for seeking urgent reliefs because disputes had arisen under a Founder Exit and Settlement Agreement dated 31.12.2019 entered into between the parties. While adjudicating the petition filed under Section 9, this Court constituted the Arbitral Tribunal. Pleadings stood completed on 05.07.2023. The counter claim of the Respondents was dismissed on the ground of non-payment of fee to the Tribunal. The mandate of the Tribunal



came to an end on 04.07.2024. The parties mutually agreed for extending the mandate of the Arbitral Tribunal for a period of six months as provided under Section 29A of the Arbitration and Conciliation Act, 1996. Since, the period of six months has expired on 04.01.2025, the Petitioner has approached this Court for further extension of the mandate of the Arbitral Tribunal.

3. Learned Counsel appearing for the Respondents states that he has no objection to the extension of the mandate of the Arbitral Tribunal.

4. It is stated by the learned Counsel for the Parties that examination of the claimant's witnesses is underway.

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. In view of the facts of the present case, this Court is inclined to extend the mandate of the Arbitral Tribunal till 31.12.2025, so that the award can be pronounced.

7. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JANUARY 30, 2025

S. Zakir