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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 103/2025 & I.A. 2620/2025**
M/S RMS POWER SOLUTION PVT LTDPetitioner

Through: Mr. Kamlesh Ojha, Advocate

versus

UNION OF INDIA & ANR.Respondents
Through: Mr. Akash Chatterjee, SPC

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
31.01.2025

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1. This Petition under Section 29A(4) of the Arbitration and Conciliation Act, 1996, has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal in the Arbitration proceedings which are going on between the parties.
2. Material on record indicates that *vide* Order dated 27.09.2022, this Court has appointed an Arbitrator to adjudicate upon the disputes between the parties.
3. It is stated that the pleadings in the arbitration proceedings were completed on 09.02.2023. The period of one year therefore expired on 09.02.2025. It is stated that the parties have mutually extended the mandate of the arbitrator for a period of six months, which has expired on 09.08.2024. It is stated that thereafter, no application has been filed before this Court for extension of mandate of the Arbitrator. Though, the mandate has expired on August, 2024, therefore, the present Petition has been filed



seeking extension of mandate of the Arbitrator.

4. 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.

5. In view of the fact that the arbitration proceedings are at advanced stage, this Court is inclined to regularize the period from August, 2024 till today and further extend the mandate of the sole Arbitrator till 31.12.2025 so that the award can be pronounced and no further extension of time would be required by the Tribunal.

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

SUBRAMONIUM PRASAD, J

JANUARY 31, 2025

RJ