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

+ **O.M.P.(MISC.)(COMM.) 120/2025**

M/S LEGEND GOURMET HUB PVT LTDPetitioner

Through: **Mr. Rishi Kapoor, Advocate.**

versus

SS CONBUILD PVT. LTDRespondent

Through: **Mr. Saurabh D. Karan Singh, Mr.
Sanjay Shisodia and Mr. Akash
Kumar, Advocates.**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

04.02.2025

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1. This Petition under Section 29A(5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal which is adjudicating the disputes which have arisen under a Memorandum of Understanding (MoU) dated 02.02.2015 entered into between the parties.
2. Material on record indicates that the Arbitral Tribunal was constituted by this Court vide Order dated 30.04.2021 in a petition being ARB.P. 151/2021 filed by the Petitioner. Pleadings stood completed on 10.07.2023. It is stated that both the parties extended the mandate by mutual consent for a period of six months as mandated under Section 29A of the Arbitration and Conciliation Act, 1996 on 08.07.2024. It is stated that the mandate of the Arbitral Tribunal has expired on 09.01.2025.
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. It is stated that the cross-examination of the witnesses of the Claimant is going on before the Arbitral Tribunal. It is stated that the matter is complex in nature and there are a number of witnesses to be examined from the side of Claimant.

5. In view of the facts of the present case, this Court is inclined to extend the mandate of the Arbitral Tribunal till 31.04.2026, so that the award can be pronounced. The period from 09.01.2025 till today is regularized.

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

SUBRAMONIUM PRASAD, J

FEBRUARY 4, 2025

S. Zakir