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

+ **O.M.P.(MISC.)(COMM.) 122/2025**

ALLAHABAD BYPASS PATHWAYS PVT. LTD.Petitioner

Through: Mr. Monish Panda, Mr. Anmol Jassal,
Ms. Amrita Singh, Advocates

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA NHAI

.....Respondent

Through: Mr. Gopal Singh, Ms. Aaliya
Siddiqui, Mr. Jitesh Saluja, Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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06.02.2025

I.A. 3155/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 122/2025

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 seeking extension of mandate of the Arbitral Tribunal for making the arbitral award.
2. Material on record indicates that disputes arose between the parties under the Concession Agreement entered into between the parties for operation and maintenance of Allahabad Bypass (including Ganga Bridge Package ABP-1) from Km. 158.00 to K. 242.708 of NH-2 in the State of Uttar Pradesh (Package No.-32) on OMT basis.
3. An Arbitral Tribunal was constituted to adjudicate upon the disputes



between the parties. It is stated that substantial time has been spent by the parties in conciliation proceedings and the arbitration proceedings are therefore at the nascent stage.

4. It is stated that since the mandate of the Arbitral Tribunal would come to an end on 22.02.2025, the Petitioner has approached this Court for extension of time for making the award.

5. Learned Counsel for the Respondent submits that the Respondent has no objection for the extension of the mandate.

6. 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.

7. In view of the facts and circumstances of the case, this Court is inclined to extend the mandate of the Arbitral Tribunal till 31.03.2026 to enable the Arbitral Tribunal to proceed further in the matter.

8. The petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 6, 2025

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