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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 125/2025**
GURUVAYOOR INFRASTRUCTURE PRIVATE LIMITED

.....Petitioner

Through: Mrs. Smiti Verma, Mr. Pranay
Chitale, Mr. Dhruv Bhalla, Advocates

versus

NATIONAL HIGHWAY AUTHORITY OF INDIARespondent
Through: Mr. Ankur Mittal and Mr. Ashish
Gajwani, Advocates

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
07.02.2025

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I.A. 3243/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 125/2025

1. This is a petition under Section 29A (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 dated 27.03.2006 and an Arbitral Tribunal was constituted which entered into Reference on 18.07.2020.
3. It is stated that the mandate of the Arbitral Tribunal has been extended from time to time and last of such extension was granted on 12.12.2023 till 18.12.2024. It is stated that since the mandate of the Arbitral Tribunal has



come to an end on 18.12.2024, the Petitioner has approached this Court seeking extension of mandate of the Arbitral Tribunal.

4. Learned Counsel for the Respondent states that the Respondent does not have any objection for the extension of the mandate.

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 and circumstances of the case, this Court is inclined to extend the mandate of the Arbitral Tribunal till 28.02.2026 to enable the Arbitral Tribunal to proceed further in the matter. Further, the period from 18.12.2024 till today is regularised.

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

SUBRAMONIUM PRASAD, J

FEBRUARY 07, 2025

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