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

+ **O.M.P.(MISC.)(COMM.) 132/2025**

M/S SRI BALAJI PROJECTS

.....Petitioner

Through: Mr. Sanjeev Sagar, Sr. Advocate with
Ms. Nazia Parveen, Advocate.

versus

THE MOTHER DAIRY EMPLOYEES C.G.H.S LTDRespondent

Through: Mr. Medhanshu Tripathi and Mr.
Tushar Tokas, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **10.02.2025**

I.A. 3387/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 132/2025

1. This Petition under Section 29A(4) and (5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Arbitrator.
2. Material on record indicates that an Arbitrator was appointed by this Court vide Order dated 13.09.2021 in a petition being ARB.P. 523/ 2021 filed by the Petitioner. Since the said Arbitrator was elevated as a Judge of this Court, an petition being OMP (T) (Comm) 59/2023 under Section 14 and 15 of the Arbitration and Conciliation Act, 1996 was filed before this Court and vide Order dated 24.07.2023, a substitute Arbitrator was appointed. Pleadings stood completed. Final arguments have been heard and the Arbitrator has reserved the Award for pronouncement on 08.11.2024.



The mandate of the Arbitrator has come to an end on 09.12.2024. It is stated that since the mandate has come to an end on 09.12.2024, the Arbitrator could not pronounce the Award and, therefore, the Petitioner has approached this Court seeking extension of the mandate of the Arbitrator.

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. In view of the facts of the present case and the fact that only the Award has to be pronounced, this Court is inclined to regularize the period from 09.12.2024 till today and further extend the mandate of the Arbitrator till 30.04.2025, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

FEBRUARY 10, 2025

S. Zakir