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

+ **O.M.P.(MISC.)(COMM.) 134/2025**

LOTUS COMMERCIAL INDIA PVT. LTD.Petitioner

Through: Mr.Raghav Bhatia, Mr.Risabh Tiwari
and Mr.Rohan Bhatia, Advocates.

versus

NATUROLL FOODS LLPRespondent

Through: Mr.Mukul Chandra, Advocate.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **18.08.2025**

1. Heard learned counsel appearing on behalf of the parties.
2. The facts of the case indicate that the sole Arbitrator, by order dated 06.09.2024, adjourned the proceedings *sine die*, taking into consideration that the mandate for making the award had expired.
3. The record further shows that on 29.03.2023, this Court appointed a sole Arbitrator. Thereafter, the arbitration proceedings commenced, and pleadings were completed on 15.08.2023. Consequently, the award ought to have been passed within a period of twelve (12) months from the completion of pleadings.
4. Learned counsel for the petitioner submits that, due to unavoidable circumstances and frequent changes of counsel, the petitioner was unable to extend necessary cooperation, resulting in a delay in the completion of the arbitration proceedings. However, he submits that the delay was



unintentional and due to *bona fide* reasons. He therefore prays that, in the interest of justice and considering that the matter is presently at the stage of evidence, the mandate of the Arbitrator be extended for a further period of twelve (12) months.

5. In support of his contentions, he has placed reliance on the decisions of this Court in the cases of ***M/s RCC Infra Ventures Ltd. & Ors. vs. M/s DMI Finance Pvt. Ltd. & Ors***¹. and ***Iqbal Singh vs. Naresh Kumar***².

6. These submissions are strongly opposed by learned counsel for the respondent, who contends that the parties cannot be permitted to blame their counsel for their own negligence and carelessness. He refers to the judgment of the Supreme Court in ***Rajneesh Kumar and Another vs. Ved Prakash***³, wherein such a conduct has been strongly deprecated. He submits that, upon perusal of paragraphs 23 and 24 of the petition, it becomes evident that the delay has arisen by the petitioner's own carelessness in prosecuting the matter.

7. He, therefore, submits that even if the Court is of the view that the mandate deserves to be extended, let the same be only for a period of six months subject to certain restrictions and conditions.

8. I have heard learned counsel appearing on behalf of the parties and also perused the record.

9. It is noted that the petitioner has already filed affidavits of evidence. The cross-examination of the petitioner's witnesses remains to be conducted.

10. Though the petitioner attributes the delay to a change in counsel a

¹ 2024 SCC OnLine Del 8961

² 2023 SCC OnLine Del 7587



reason not fully accepted by the Court however considering the significant progress already made in the arbitration proceedings, and the resources already deployed by them, and also the stage at which the matter stands, it would be in the interest of justice to extend the mandate of the Arbitrator for a period of six (6) months from today.

11. The period from 15.08.2024 until today stands regularized. However, such regularization shall be subject to the payment of costs of Rs. 50,000/- by the petitioner to the respondent.

12. The undertaking of the petitioner is taken on record who contends that henceforth no adjournment shall be sought on behalf of the petitioner.

13. With the aforesaid reasons and directions, the instant petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 18, 2025

Nc/sph