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

+ **O.M.P.(MISC.)(COMM.) 140/2025**

M/S KBG ENGINEERSPetitioner

Through: Mr. Avinash Trivedi, Mr. Rahul Aggarwal, Advs.

versus

DELHI TOURISM AND TRANSPORTATION DEVELOPMENT CORPORATION LTDRespondent

Through: Mr. Mayank Bamniyal, Advocate.

+ **O.M.P.(MISC.)(COMM.) 141/2025**

M/S KBG ENGINEERSPetitioner

Through: Mr. Avinash Trivedi, Mr. Rahul Aggarwal, Advs.

versus

DELHI TOURISM AND TRANSPORTATION DEVELOPMENT CORPORATION LTDRespondent

Through: Mr. Mayank Bamniyal, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **12.02.2025**

I.A. 3641/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 140/2025

I.A. 3642/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 141/2025

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 140/2025

O.M.P.(MISC.)(COMM.) 141/2025

1. These petitions under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 has been filed seeking extension of mandate of the Arbitral Tribunal for making the arbitral award.



2. Material on record discloses that *vide* Order dated 28.07.2022 this Court in ARB.P. 577/2022 appointed Mr. Satyam Thareja, Advocate, as the Sole Arbitrator to adjudicate on the disputes between the parties. By mutual consent, the mandate of the Tribunal was extended till 31.07.2024. The mandate of the learned Arbitrator was further extended till 31.01.2025 by this Court vide Order dated 02.08.2024. It is stated that the matter is at the stage of final hearing. The Petitioner has, therefore, approached this Court for extension of time for making the award.

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 fact that the matter is at the advance stage, this Court is inclined to extend the mandate of the Arbitral Tribunal till 31.10.2025 with effect from 01.02.2025 so that the Award can be pronounced and no further extension of time would be required by the Tribunal.

5. The petitions are disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 12, 2025

Rahul