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

+ **O.M.P.(MISC.)(COMM.) 153/2025**

SUMITOMO CORPORATION INDIA PRIVATE LIMITED

.....Petitioner

Through: Mr. S.K. Gandhi and Mr. Srikanth
Varma M., Advocates.

versus

LEADEC INDIA PRIVATE LIMITED

.....Respondent

Through: Ms. Surabhi Sharan, Ms. Sanjana
Khatri, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **18.02.2025**

I.A. 4241/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 153/2025

1. This Petition under Section 29A(5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.
2. Material on record indicates that the Arbitral Tribunal was constituted by this Court vide Order dated 10.03.2022 in a petition being ARB. P. No. 122/2022 filed by the Petitioner. It is stated that both the parties extended the mandate by mutual consent for a period of six months as mandated under Section 29A of the Arbitration and Conciliation Act, 1996. It is stated that the mandate of the Arbitral Tribunal was further extended by this Court till 31.12.2024. The mandate of the Arbitral Tribunal has expired on 31.12.2024.



3. It is stated that the matter is listed for further arguments and rebuttal arguments before the Arbitral Tribunal.
4. Learned Counsel appearing for the Respondent states that he has no objection if the mandate of the Arbitral Tribunal is extended
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 of the present case, this Court is inclined to extend the mandate of the Arbitral Tribunal till 30.08.2025, so that the award can be pronounced.
7. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 18, 2025

S. Zakir