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

+ O.M.P.(MISC.)(COMM.) 158/2025

VIMAL BANKA

.....Petitioner

Through: Mr. Raghav Alok, Ms. Vasudha
Trivedi, Mr. Yash Gupta, Advocates.

versus

ROYALGOLF LINK CITY PROJECT PVT. LTD. & ORS.

.....Respondents

Through: Mr. Harshal Kumar and Mr. Apoorv
Rastogi, Advocates.

+ O.M.P.(MISC.)(COMM.) 161/2025

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.....Petitioner

Through: Mr. Raghav Alok, Ms. Vasudha
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versus

ROYALGOLF LINK CITY PROJECT PVT. LTD. & ORS.

.....Respondents

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Rastogi, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **19.02.2025**

I.A. 4386/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 158/2025

I.A. 4452/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 161/2025

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 158/2025

O.M.P.(MISC.)(COMM.) 161/2025

1. These petitions under Section 29A(4) & (5) of the Arbitration and Conciliation Act, 1996 have been filed by the Petitioner for extending the mandate of the Arbitral Tribunal for adjudicating disputes which have arisen



under a Memorandum of Understanding dated 15.06.2016 entered into between the parties.

2. Material on record indicates since disputes arose between the parties, the Petitioner had approached this Court for appointment of an Arbitrator and this Court constituted an Arbitral Tribunal. Pleadings stood completed on 01.08.2023. It is stated that the parties had extended the mandate of the Arbitral Tribunal by mutual consent for a period of six months on 20.03.2024. The mandate of the Arbitral Award has expired on 31.01.2025.

3. It is stated that final arguments stand concluded and the award is pending for pronouncement.

4. Learned Counsel appearing for the Respondents 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 31.07.2025, so that the award can be pronounced.

7. The Petitions are disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 19, 2025

S. Zakir