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

+ O.M.P.(MISC.)(COMM.) 163/2025

M/S DSC LIMITED BEST CROMPTON ENGINEERING
PROJECTS LTD. JVPetitioner

Through: Mr. Tanuj Chopra, Advocate.

versus

RAIL VIKAS NIGAM LIMITEDRespondent

Through: Mr. Jitendra Kumar Singh, Ms. Anjali
Kumari, Ms. Harshita Singh and Ms.
Shivpriya, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

20.02.2025

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I.A. 4561/2025

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 163/2025

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 seeking extension of mandate of the Arbitral Tribunal for making the arbitral award.

2. Material on record discloses that Arbitral Tribunal was constituted on 19.04.2018 to adjudicate on the disputes between the parties. The mandate of the Arbitral Tribunal was extended from time to time. Vide the last such extension the mandate of the Arbitral Tribunal was extended till 07.02.2025. 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 Respondent has no objection to the extension of the mandate of the learned Arbitrator.
4. 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.
5. 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 30.10.2025 with effect from 08.02.2025 so that the Award can be pronounced and no further extension of time would be required by the Tribunal.
6. The petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 20, 2025

Rahul