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

+ **O.M.P.(MISC.)(COMM.) 164/2025**

**ERA INFRA ENGINEERING LIMITED**

.....Petitioner

Through: Mr. Udit Seth and Ms. Dishti Sharma,  
Advvs.

versus

**ARAVALI POWER COMPANY PVT. LTD** .....Respondent

Through: Mr. Adarsh Tripathi, Mr. Ajitesh  
Garg and Mr. Vikram S. Baid, Advvs.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

% **21.02.2025**

**I.As. 4585-86/2025 (Exemption)**

Allowed, subject to all just exceptions.

**O.M.P.(MISC.)(COMM.) 164/2025**

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act seeking extension of the mandate of the learned Arbitrator to conclude the arbitration proceedings and pass the arbitral award.
2. It is stated that disputes arose between the parties and a Sole Arbitrator was appointed to adjudicate upon the disputes between the parties. During the pendency of the arbitration proceedings, CIRP proceedings were initiated against the Respondent.
3. It is stated that pleadings were completed on 12.10.2023 and therefore the period of one year came to an end on 12.10.2024. It is stated that the matter could not proceed ahead in view of the CIRP proceedings. It is stated



that CIRP proceedings have now come to an end. It is stated that the arbitration proceedings are at a very initial stage.

4. It is stated that since the mandate of the Arbitrator has come to an end, the Petitioner has approached this Court seeking extension of mandate of the Arbitrator.

5. Learned Counsel for the Respondent states that the Respondent has no objection to the extension of mandate of the Arbitrator.

6. 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.

7. In view of the fact that the matter is at the stage of filing evidence affidavits, this Court is inclined to extend the mandate of the Arbitrator till 31.12.2025 to enable the learned Arbitrator to proceed further and conclude the arbitration proceedings. Further, the period from 12.10.2024 till today is regularized.

8. The petition is disposed of along with pending application(s), if any.

**SUBRAMONIUM PRASAD, J**

**FEBRUARY 21, 2025**

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