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

+ **O.M.P.(MISC.)(COMM.) 165/2025, I.A. 4683/2025**

SUNIL KUMAR CHANDRA

.....Petitioner

Through: Mr. S D Singh, Mr. Kamla Prasad,
Ms. Meenu Singh, Mr. Siddharth
Singh, Advocates

versus

MS SPIRE TECHPARKPVT LTD

.....Respondent

Through: Mr. Shivam, Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

24.02.2025

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1. This is a petition under Section 29A(4) & (5) of the Arbitration & Conciliation Act, 1996 for extension of mandate of the Arbitrator for concluding the arbitration proceedings and pass an award.
2. Material on record indicates that this Court *vide* Order dated 18.01.2023 in ARB.P No.1102/2022 appointed Ms. Madhurima Mridul, Advocate, as an Arbitrator to adjudicate the disputes between the parties.
3. It is stated that the learned Arbitrator entered into Reference on 03.02.2023. It is stated that the Statement of Defence was filed on 22.02.2023. The period of one year came to an end on 22.02.2024. Material on record discloses that *vide* Order dated 07.08.2024, the Arbitrator recused from the proceeding further in the matter.
4. It is stated that after recusal of the erstwhile Arbitrator, the Petitioner



approached this Court by filing OMP(T)(COMM) 91/2024 and this Court vide Order dated 01.10.2024 appointed a substitute Arbitrator. The new Arbitrator entered into Reference on 05.11.2024. It is stated that since the mandate of the Arbitrator has come to an end on 20.11.2024, the Petitioner has approached this Court for extension of mandate of the Arbitrator.

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

6. It is stated that the case is now coming for examination of witnesses of the Petitioner. Since substantial time has been spent by the parties in arbitration proceedings and delay has occurred because of certain applications under Section 17 of the Arbitration & Conciliation Act and the recusal of the erstwhile Arbitrator, this Court is inclined to extend the mandate of the Arbitrator till 31.12.2025 to enable the learned Arbitrator to conclude the arbitration proceedings and pass an award. Further, the period from 20.11.2024 till today is regularized.

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

SUBRAMONIUM PRASAD, J

FEBRUARY 24, 2025

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