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

+ **O.M.P.(MISC.)(COMM.) 192/2025**

M/S A K GULATI AND SONS

.....Petitioner

Through: **Mr. Syed Wasif Haider, Adv.**

versus

UNION OF INDIA

.....Respondent

Through: **Mr. Shankar Kumar Jha, SPC, UOI.
Mr. Dushyant Pratap Singh, GP with
Ms. Stuti Wahal, Advs.**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **03.03.2025**

I.A. 5417/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 192/2025

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 this Court *vide* Order dated 14.09.2022 in ARB.P.805/2022 appointed Mr. N.P. Kaushik, Additional District Judge (Retd.) as the Sole Arbitrator to adjudicate on the disputes between the parties.
3. The present Petition does not state as to when the learned Sole Arbitrator entered reference, as to when the pleadings were completed, as to when the period of 12 months came to an end and as to when the parties



gave their consent for mutual extension of the mandate of the learned Sole Arbitrator. Only a copy of the proceedings dated 19.02.2025 has been filed wherein it is stated that the mandate of the learned Sole Arbitrator would expire on 23.02.2025 and that the parties would be approaching this Court for extension of the mandate.

4. It is stated that arguments have been concluded and only award is to be pronounced. This fact is not disputed by the learned Counsel for the Respondent.

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 fact that the matter is at an advance stage, this Court is inclined to regularize the mandate of the Arbitral Tribunal till 03.03.2025 and the mandate is extended till 30.05.2025 so that the Award can be pronounced.

7. The petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

MARCH 03, 2025

Rahul