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

\+ O.M.P.(MISC.)(COMM.) 206/2025

SUMRIDHI ALUMINIUM PRIVATE LIMITED THROUGH AUTHORIZED REPRESENTATIVE ....Petitioner

Through: Mr. Arav Kapoor and Ms. Mansha Gupta, Advocates

versus

ASIER METALS PRIVATE LIMITED THROUGH MANAGING DIRECTOR .....Respondent

Through: Mr. Mohit Chaudhary Kunal Sachdeva, Mr. Raghav Dikhsit, Ms. Nimmi Babu, Advocates

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

O R D E R

% **05.03.2025**

I.A. 5913/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 206/2025

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act seeking extension of the mandate of the learned Arbitrator for a period of nine months to conclude the arbitration proceedings.

2. It is stated that disputes arose between the parties under the contract dated 27.09.2021. It is stated that this Court *vide* Order dated 18.08.2022 passed in ARB. P. 217/2022 appointed a Sole Arbitrator to adjudicate upon the disputes between the parties.

3. It is stated that pleadings were completed on 20.07.2023 and the period of one year from the date of completion of pleadings came to an end

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on 20.07.2024. It is stated that the mandate of the Arbitrator was extended for a period of six months by mutual consent of the parties which has come to an end on 20.01.2025. It is stated that the matter is at the stage of Respondent's evidence.

4. It is stated that since the mandate of the Arbitrator has come to an end on 20.01.2025, 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 Respondent's evidence, this Court is inclined to extend the mandate of the Arbitrator for a period of nine months from today to enable the learned Arbitrator to proceed further and conclude the arbitration proceedings. Further, the period from 20.01.2025 till today is regularized.

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

SUBRAMONIUM PRASAD, J

MARCH 5, 2025
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