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

+ O.M.P.(MISC.)(COMM.) 209/2025

VIVEK AGGARWAL & ANR.

.....Petitioners

Through: Mr. Arjun Singh Bhati and Ms. Sajal Sinha, Advocates.

versus

HEMANT AGGARWAL & ORS.

.....Respondents

Through: Mr. Nikhilesh Krishnan, Advocate for R-1.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

01.05.2025

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1. This petition is preferred on behalf of the Petitioners under Section 29A (4) and (5) of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking extension of the mandate of the Arbitral Tribunal by a period of one year.

2. Disputes having arisen between the parties in relation to a Memorandum of Settlement dated 16.07.2014, one of the Respondents approached this Court in ARB.P. No. 775/2018, for appointment of an Arbitrator. Petition was allowed on 16.01.2019 and Sole Arbitrator was appointed by the Court. Mandate of the learned Sole Arbitrator was extended from time to time and it is stated in the petition that arbitral proceedings are at the stage of recording of evidence and arguments on the preliminary issue framed by the Arbitrator. Mandate of the Arbitrator having expired on 11.01.2025, this petition is filed for extension.

3. Mr. Nikhilesh Krishnan, learned counsel enters appearance on behalf of Respondent No. 1 and, on instructions, submits that Respondent No. 1 has no objection to the extension of mandate of the learned Arbitrator, without



prejudice to the rights of Respondent No. 1 to take appropriate steps in regard to the jurisdiction of the Arbitral Tribunal against the order passed dismissing the application under Sections 12 and 13 of 1996 Act. Respondent No. 2 is stated to have expired on 02.07.2024 and while steps were taken to implead the legal heirs before the learned Arbitrator, it is the case of the Petitioners that they chose not to appear and have been proceeded *ex parte*. None appears on behalf of Respondent No. 3.

4. Accordingly, with the consent of the Petitioners and Respondent No. 1, mandate of the Arbitral Tribunal is extended by a period of 09 months from 01.05.2025 and period between 12.01.2025 to 30.04.2025 is regularised.

5. Petition is allowed and disposed of in the aforesaid terms.

JYOTI SINGH, J

MAY 1, 2025/s.Sharma/Shivam