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

+ **O.M.P.(MISC.)(COMM.) 214/2025**

KAMLESH GULATI & ORS.

.....Petitioner

Through: Mr. Vinit Trehan, Mr. Yash
Srivastava, Advocates

versus

DEEPAK GULATI & ANR.

.....Respondents

Through: Mr. R. K. Mishra, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

10.03.2025

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I.A. 6254/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 214/2025

1. This Petition under Section 29A(5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.
2. Material on record indicates that while adjudicating a petition being O.M.P. (I) (COMM) 503/2017 filed under Section 9 of the Arbitration and Conciliation Act, 1996, this Court had constituted an Arbitral Tribunal comprising of a Sole Arbitrator vide Order dated 16.07.2018. Pleadings stood completed. It is stated that the parties had extended the mandate of the Arbitral Tribunal by mutual consent for a period of six months. The mandate of the Arbitral Tribunal has been extended by this Court from time to time



and the last of the mandate of the Arbitral Tribunal has been extended by this Court till 02.03.2025. The mandate of the Arbitral Tribunal has expired on 02.03.2025.

3. It is stated that evidence stands concluded and the matter is ripe for final arguments before the Arbitral Tribunal.

4. Learned Counsel appearing for the Respondents has no objection if the mandate of the Arbitral Tribunal is extended.

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 facts of the present case, this Court is inclined to extend the mandate of the Arbitral Tribunal till 30.11.2025, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

MARCH 10, 2025

S. Zakir