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

+ O.M.P.(MISC.)(COMM.) 216/2025

TATA CAPITAL LIMITED

.....Petitioner

Through: Mr. Savyasachi K Sahai, Mr
Vishwajeet Singh Shekhawat, Ms
Madhumita Bagchi, Advocates

versus

MADHAV DIESELS & ORS.

.....Respondents

Through: Ms Charu Singhal, Advocate

+ O.M.P.(MISC.)(COMM.) 217/2025

TATA CAPITAL LIMITED

.....Petitioner

Through: Mr. Savyasachi K Sahai, Mr
Vishwajeet Singh Shekhawat, Ms
Madhumita Bagchi, Advocates

versus

MADHAV AUTO & ORS.

.....Respondents

Through: Ms Charu Singhal, Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

19.03.2025

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1. These petitions under Section 29A (4) & (5) of the Arbitration and Conciliation Act, 1996 have been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.
2. Material on record indicates that the Petitioner had approached this Court by filing an arbitration petition under Section 11 of the Arbitration & Conciliation Act, 1996 for appointment of an Arbitrator and this Court *vide* order dated 16.08.2022 constituted an Arbitral Tribunal to adjudicate upon



the disputes between the parties. Pleadings stood completed on 16.08.2023.

3. It is stated that the parties had extended the mandate of the Arbitral Tribunal by mutual consent for a period of six months on 03.04.2024. It is stated that the mandate of the Arbitral Tribunal has come to an end on 14.02.2025. It is stated that the matter is now at the stage of final arguments.

4. It is stated that since the mandate of the learned Arbitrator has come to an end on 14.02.2025, 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 final arguments, this Court is inclined to extend the mandate of the Arbitrator till 31.10.2025 to enable the learned Arbitrator to proceed further and conclude the arbitration proceedings.

8. The petitions are disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MARCH 19, 2025

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