



\$~7

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

+ **O.M.P.(MISC.)(COMM.) 236/2025**

GSBA BUILDERS (P) LTD.

.....Petitioner

Through: Mr. Ravi Kapoor, Ms. Shreya
Kunwar and Mr. Abhishek Singh,
Advocates

versus

MALLANI INFOTECH (P) LTD.

.....Respondent

Through: Ms. Padmapriya, Mr. Rishabh
Sancheti, Mr. Shikhar Bhardwaj,
Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

17.03.2025

%

I.A. 6869/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 236/2025

1. This petition under Section 29A(4) & (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 the Petitioner had approached this Court by filing an arbitration petition being ARB.P. 41/2017 for appointment of an Arbitrator and this Court vide Order dated 24.03.2017 constituted an Arbitral Tribunal consisting of a Sole Arbitrator. 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 03.02.2025. The mandate of the Arbitral Tribunal has expired on 03.02.2025.

3. It is stated that examination of witnesses of the Claimant is going on before the Arbitral Tribunal.

4. Learned Counsel appearing for the Respondent 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 regularize the mandate of the Arbitral Tribunal till today and the mandate is extended till 31.03.2026 so that the Award can be pronounced.

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

SUBRAMONIUM PRASAD, J

MARCH 17, 2025

S. Zakir