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

+ **O.M.P.(MISC.)(COMM.) 235/2025**

RAJESH SHARMA

.....Petitioner

Through: Mr. Sukhpreet Singh, Advocate.

versus

**GRACE WELFARE EDUCATION SOCIETY
AND ORS**

.....Respondents

Through: Mr. Sunil Choudhary, Advocate for
Respondent No. 2

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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08.05.2025

1. This petition is preferred on behalf of the Petitioner under Section 29A (4) and (5) of Arbitration and Conciliation Act, 1996 ('1996 Act') seeking extension of mandate of the learned Arbitral Tribunal.
2. Disputes having arisen between the parties in respect of Memorandum of Understanding dated 15.02.2019, Petitioner invoked the arbitration clause by notice dated 09.09.2019 nominating Mr. Maneesh Gupta, practising Company Secretary as an Arbitrator to which the Respondent sent a reply dated 05.10.2019 nominating its nominee. As the two Arbitrators did not agree on the third Presiding Arbitrator, Petitioner filed a petition under Section 11(6) of the 1996 Act for appointment of the Presiding Arbitrator, which was allowed by this Court on 25.04.2022 and thereafter, the arbitral proceedings commenced. Some dispute arose between the parties with respect to the venue of the arbitration and the fee of the Arbitrators which was finally resolved and proceedings are stated to be continuing under the aegis of Delhi International Arbitration Centre (DIAC).



3. Learned counsel for the Petitioner submits that the mandate of the Arbitral Tribunal expired on 29.07.2023 but the proceedings could not conclude due to the dispute pertaining to venue of arbitration. Petitioner filed an application bearing No. 18717/2023 in the disposed of Arb. P. No. 999/2021 for the proceedings to be conducted under the aegis of DIAC, which was disposed of on 20.08.2024 with liberty to approach the Arbitral Tribunal for a decision on the procedure to be adopted. The delay was not intentional or attributable to the Petitioner and mandate of the Arbitral Tribunal be thus extended so that proceedings conclude.
4. Mr. Sunil Choudhary, learned counsel appearing on behalf of Respondent No. 2, on instructions, submits that he has no objection to the extension of the mandate of the Arbitral Tribunal.
5. Accordingly, with the consent of the parties, mandate of the learned Arbitral Tribunal is extended by a period of 09 months from 08.05.2025 requesting the Arbitral Tribunal to conclude the proceedings and pass the award as expeditiously as possible and parties are directed to render full cooperation and not take unnecessary adjournments. Period between 30.07.2023 to 07.05.2025 is regularised.
6. Petition stands disposed of in the aforesaid terms.

JYOTI SINGH, J

MAY 08, 2025/shivam