



\$~4 & 5

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

+ O.M.P.(MISC.)(COMM.) 230/2025

H ANK K SOLUTIONS

.....Petitioner

Through: *Appearance not given.*

versus

SHIV NADAR FOUNDATION

....Respondent

Through: Mr. Sanjiv K Jha, Mr. Sachin Bhatt
Advocates

+ O.M.P.(MISC.)(COMM.) 231/2025

H ANK K SOLUTIONS

.....Petitioner

Through: *Appearance not given.*

versus

SHIV NADAR FOUNDATION

.....Respondent

Through: Mr. Sanjiv K Jha and Mr. Sachin
Bhatt Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

%

17.03.2025

I.A. 6777/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 230/2025

I.A. 6778/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 231/2025

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 230/2025

O.M.P.(MISC.)(COMM.) 231/2025

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 being ARB.P. 773/2018 for



appointment of an Arbitrator and this Court vide Order dated 17.12.2019 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 last of the mandate of the Arbitral Tribunal has been extended by this Court till 12.03.2025. The mandate of the Arbitral Tribunal has expired on 12.03.2025.

3. It is stated that the cross-examination of the witnesses of the Respondent 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 extend the mandate of the Arbitral Tribunal till 31.12.2025, so that the award can be pronounced.

7. The petitions are disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

MARCH 17, 2025

S. Zakir