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

+ O.M.P.(MISC.)(COMM.) 218/2024

MECAMIDI HPP INDIA PRIVATE LIMITED

.....Petitioner

Through: Mr. Ankur Goel and Mr. Saket Singh,
Adv

versus

**BIHAR STATE HYDROELECTRIC POWER CORPORATION
LIMITED & ANR.**

.....Respondents

Through: Mr. Rupesh Singh , Mr. Pankaj
Bhagat , Mr. Sadre Alam, Mr.
Anoushka Lohar, Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **28.02.2025**

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 seeking extension of mandate of the Arbitral Tribunal for making the arbitral award.
2. Material on record discloses that *vide* Order dated 08.03.2017, the matter was referred to DIAC by the Facilitation Council of the MSME and an Arbitrator was appointed by the DIAC to adjudicate on the disputes between the parties. It is stated that the mandate of the Arbitrator has ended on 28.02.2024. The Petitioner has, therefore, approached this Court for extension of time for making the award.
3. The present Petition was filed on 11.02.2024. Notice in the present Petition was issued on 03.02.2025. Reply has been filed.



4. The objections raised by the Respondents have no bearing on the extension of the mandate of the Arbitrator. The grievances raised by the Respondents have to be raised in appropriate proceedings under the Arbitration Act.
5. It is stated that the matter is at the stage of final arguments.
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 advance stage, this Court is inclined to regularize the period between 28.02.2024 till today and extend the mandate of the Arbitral Tribunal till 30.09.2025 so that the Award can be pronounced and no further extension of time would be required by the Tribunal.
8. The petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 28, 2025

Rahul