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

+ **O.M.P.(MISC.)(COMM.) 245/2025**

MALHOTRA ENTERPRISES

.....Petitioner

Through: Mr. Sumit Kumar, Advocate

versus

ERICSSON INDIA PRIVATE LIMITED

.....Respondent

Through: Mr Kunal Kher Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

19.03.2025

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1. This Petition under Section 29A(4) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Sole Arbitrator.
2. Material on record indicates that the Arbitral Tribunal was constituted on 22.08.2019 for adjudicating the disputes which have arisen between the parties.
3. The mandate of the Arbitral Tribunal was extended from time to time and last such extension was granted on 24.07.2024. It is stated that the mandate of the Arbitral Tribunal has expired on 10.02.2025, therefore the Petitioner has approached this Court by filing the instant Petition for extension of mandate.
4. It is stated by the learned Counsel for the Petitioner that the arguments have been heard and the award has to be pronounced.
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 31.10.2025, so that the award can be pronounced. The period from 10.02.2025 till today i.e. 19.03.2025 stands regularized.

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

SUBRAMONIUM PRASAD, J

MARCH 19, 2025

RJ