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

+ **O.M.P.(MISC.)(COMM.) 255/2025**

M/S ETERNO CONSTRUCTIONS PVT. LTD & ANR.

.....Petitioners

Through: Mr Amulya Dhingra and Mr Saurav
Kumar, Advocates

versus

M/S JITO ADMINISTRATIVE TRAINING FOUNDATION

.....Respondent

Through: Dr. Harsh Surana, Ms Deepali
Surana, Mr. Sandeep Malik, Mr.
Rudresh Kumar, Mr. Karan Shankla,
Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

21.03.2025

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I.A. 7362/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 255/2025

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. 179/2020 for appointment of an Arbitrator and this Court vide Order dated 02.05.2022 constituted an Arbitral Tribunal consisting of a Sole Arbitrator. Pleadings



stood completed on 07.07.2023. It is stated that the parties had extended the mandate of the Arbitral Tribunal by mutual consent for a period of six months w.e.f. 07.07.2024 to 06.01.2025. It is stated that the mandate of the Arbitral Tribunal has expired on 06.01.2025.

3. It is stated that final arguments stand concluded and only the award has to be pronounced by 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 31.07.2025 so that the Award can be pronounced.

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

SUBRAMONIUM PRASAD, J

MARCH 21, 2025

S. Zakir