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

+ O.M.P.(MISC.)(COMM.) 261/2025

M/S. SHARDA DEVELOPERSPetitioner

Through: Mr. Roshan Santhalia, Advocate

versus

M/S. AGARWAL ASSOCIATES (PROMOTERS) LIMITED

.....Respondent

Through: Mr. Divyakant Lahoti, Mr. Kartik Lahoti, Ms. Anushka Awasthi, Mr. Rajendra Motwani, Advocates.

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CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

24.03.2025

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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 this Court *vide* Order dated 10.04.2023 in ARB.P.48/2023 constituted an Arbitral Tribunal to adjudicate on the disputes between the parties. Pleadings were completed on 28.08.2023 and on expiry of the one year period, the parties mutually extended the mandate of the Arbitrator by six months, i.e. till 28.02.2025. It is stated that certain witnesses of the Petitioner are being re-examined. Meaning thereby, the Arbitral Tribunal has to examine the Respondent witnesses, hear arguments and pronounce the award. The Petitioner has, therefore, approached this Court seeking extension of the mandate of the Arbitrator.
3. Learned Counsel appearing for the Respondent states that the Respondent does not have any objection to the present Petition. However, he states that the learned Arbitrator be requested to expedite the proceedings.
4. 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.

5. In view of the fact that the matter is at an advance stage, this Court is inclined to regularize the mandate of the Arbitral Tribunal till today and extend the mandate till 31.12.2025 so that the Award can be pronounced.

6. The Petitions are disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

MARCH 24, 2025

Rahul