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

+ O.M.P.(MISC.)(COMM.) 294/2025

TATA CAPITAL LIMITED - TRANSFEREE OF TATA CAPITAL
FINANCIAL SERVICES LTD.Petitioner

Through: Ms. Ekta Bhasin and Mr. Sanidhya
Sonthalia, Advocates.

versus

M/S. J. V. STEEL TUBES & ORS.Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

02.05.2025

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1. This petition is preferred on behalf of the Petitioner under Section 29A (4) and (5) of Arbitration and Conciliation Act, 1996 ('1996 Act') seeking extension of mandate of learned Arbitral Tribunal by a period of 06 months.

2. Disputes having arisen between the parties in respect of a Channel Finance Facility for an amount of Rs. 3 crores in terms of Sanction Letter dated 25.11.2021, Petitioner filed a petition under Section 9 of 1996 Act seeking interim order, being O.M.P. (I) (COMM.) 110/2023. By order dated 28.04.2023, Court appointed a Sole Arbitrator with the consent of the parties. After entering upon reference, learned Arbitrator fixed the preliminary hearing on 12.05.2023, whereafter Petitioner filed its Statement of Claim and Respondents filed Statement of Defence. Final arguments are stated to have been heard on 23.05.2024 and on the same day, the Award was reserved. Petitioner avers that e-mails were sent to the Respondents to extend the mandate of the learned Arbitrator by consent that there was no



response, compelling the Petitioner to approach this Court.

3. Notice was issued in the present petition on 02.04.2025 to the Respondents, returnable on 24.04.2025. Affidavit of service filed by the Petitioner reflected that Respondents were served, however, they chose not to appear on 24.04.2025. The matter was adjourned for today, making it clear that if Respondents were unrepresented on the next date, Court will proceed with the matter.

4. This is a second call of the matter. None appeared on the first call and none appears on the second call. It is evident that Respondents are evading appearance before the Court. Accordingly, this petition is allowed, extending the mandate of the learned Arbitrator by a period of two months from today and the period till 01.05.2025 from the date the mandate expired is regularised.

5. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

MAY 2, 2025/YA