



\$~74

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

+ **O.M.P.(MISC.)(COMM.) 302/2025**

M/S SHIVAA ENTERPRISES

.....Petitioner

Through: Mr. Mohit Kumar Bafna, Mr.
Abhishek Baid and Mr. Ashwary Kathed,
Advocates.

versus

**M/S LIFE ESSENTIALS PERSONAL CARE
PVT LTD**

.....Respondent

Through: Mr. Harshbir Singh Kohli, Mr. Vinay
Jaiswal and Mr. Pradeep Kumar, Advocates.

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

ORDER
03.04.2025

%

I.A. 8599/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

O.M.P.(MISC.)(COMM.) 302/2025

3. This petition is filed on behalf of the Petitioner under Section 29A (4) and (5) of the Arbitration and Conciliation Act, 1996 ('1996 Act') read with Section 151 CPC for extension of mandate of the Arbitral Tribunal.
4. Disputes having arisen between the parties with respect to a Consignee Sales Agent Agreement dated 02.03.2017, Petitioner invoked Arbitration Clause between the parties for appointment of an Arbitrator and on failure of the Respondent to appoint an arbitrator, Petitioner filed ARB.



P. 393/2022 for appointment of an arbitrator under Section 11(5) and (6) of the 1996 Act, which was allowed vide order dated 12.10.2022, appointing a Sole Arbitrator to adjudicate the disputes between the parties. Parties filed their respective pleadings within the period prescribed under Section 23(4) of the 1996 Act and subsequently by mutual consent, it was agreed to extend the mandate by six months, which period expired on 22.02.2025.

5. It is averred in the petition that in the meantime, the learned Arbitrator got elevated as a Judge of this Court and proceedings could not be completed. Accordingly, Petitioner filed a petition under Section 15 (1) of the 1996 Act for appointment of a substitute Arbitrator, being OMP (T) (COMM) 21/2025, which was allowed vide order dated 21.03.2025 appointing Sh. Anil Kaushik, Senior Advocate as the substitute Arbitrator. Since the mandate of the Arbitral Tribunal after extension of six months expired on 22.02.2025, Petitioner seeks extension of six months as the matter is at the stage of claimant's evidence.

6. Issue notice.

7. Mr. Harshbir Singh Kohli, learned counsel accepts notice on behalf of the Respondent and on instructions, submits that Respondent has no objection to the extension of the mandate learned Tribunal by a period of 06 months.

8. Considering that the arbitral proceedings are at the stage of cross examination of claimant's witness to enable the learned Arbitrator to complete the proceedings and pass the arbitral award, with the consent of the parties, mandate of the learned Arbitrator is extended by 06 months from 03.04.2025 and period between 23.02.2025 to 02.04.2025 is hereby regularised.



9. Petition stands allowed and disposed of in the aforesaid terms.

JYOTI SINGH, J

APRIL 03, 2025/shivam