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

+ **O.M.P.(MISC.)(COMM.) 308/2025**

IN2IT TECHNOLOGIES PRIVATE LIMITEDPetitioner

Through: Mr. Madhup Singhal, Mr. Tanmay
Yadav and Mr. Suraj Vishwakarma, Advocates.

versus

PIESTING SERVICES PRIVATE LIMITED& ANR.....Respondents

Through: Mr. Suhael Buttan and Mr. Vineet
Kumar, Advocates for Respondents No.1 and 2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

07.04.2025

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I.A. 8866/2025

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

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3. This petition is preferred on behalf of the Petitioner under Section 29A (4) and (5) of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking extension of the mandate of the arbitral tribunal to adjudicate the disputes between the parties and to pass the Arbitral Award, by a period of one year w.e.f. 01.03.2025.
4. Disputes having arisen between the parties in relation to a Business Transfer Agreement dated 20.04.2020, ('1st Arbitration'), Respondents filed a petition under Section 9 of the 1996 Act being O.M.P.(I) (COMM) 269/2021 seeking interim measures, which was disposed of on 11.08.2021



by appointing a Sole Arbitrator for adjudicating the disputes between the parties. Between 19.10.2021 to 28.10.2022 parties explored the possibility of amicable settlement of their disputes, but there was no success. After pleadings were completed, Petitioner preferred an application on 02.01.2024 before the Arbitral Tribunal under Section 27 of 1996 Act seeking leave to approach this Court for assistance in obtaining evidence, which was allowed vide order dated 20.01.2024 and in terms of liberty granted, Petitioner filed O.M.P.(E) (COMM) No. 7/2024 under Section 27 of 1996 Act. Petition was allowed on 11.03.2024 and Local Commissioner appointed earlier by the Arbitral Tribunal was directed to submit a report before the Arbitral Tribunal, which was done on 24.04.2024.

5. It is stated in the petition that in the meantime mandate of the Arbitral Tribunal after extension of 06 months with the consent of the parties, expired on 28.02.2024. Parties filed a joint petition under Section 29A (4) and (5) of 1996 Act being O.M.P.(MISC) (COMM) 569/2024 seeking extension by one year, which was allowed on 05.08.2024 and mandate of the Arbitral Tribunal was extended for one year w.e.f. 01.03.2024 till 28.02.2025. In the meanwhile, Petitioner filed petition under Section 11(6) of 1996 Act being ARB.P. 1198/2024 for appointment of an Arbitrator with respect to disputes arising out of the Share Purchase Agreement dated 20.04.2020 ('2nd Arbitration'), which was allowed on 23.12.2024 and considering that the disputes were part of a composite transaction with the Business Agreement for which arbitration was ongoing, Court appointed the same Arbitrator.

6. In the first hearing held by the Arbitral Tribunal on 03.01.2025, learned Arbitrator consolidated the proceedings in both the arbitrations.



Petitioner has filed the Statement of Claim in the 2nd arbitration on 14.02.2025 and proceedings are yet to be completed. In this backdrop, present petition has been filed for extension of the mandate of the Arbitral Tribunal by one year from 01.03.2025.

7. Issue notice.

8. Mr. Suhael Buttan, learned counsel accepts notice on behalf of the Respondents and on instructions, submits that Respondents have no objection to the extension of the mandate of the learned Tribunal by a period of one year.

9. Accordingly, in the facts and circumstances of the case and with the consent of the parties, mandate of the Arbitral Tribunal is extended by a period of one year from 07.04.2025. Period between 01.03.2025 to 06.04.2025 is regularised.

10. Petition is allowed and stands disposed of in the aforesaid terms.

JYOTI SINGH, J

APRIL 7, 2025

B.S. Rohella