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

+ **O.M.P.(MISC.)(COMM.) 309/2025**

**M/S ALPHA CORP DEVELOPMENT PRIVATE
LIMITED**

.....Petitioner

Through: Mr. Surjendu Sankar Das and
Mr. Vishwajeet Singh Shekhawat, Advocates.

versus

M/S KETAN CONSTRUCTION COMPANYRespondent

Through: Mr. Sanjay Bansal, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

07.04.2025

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I.A. 8948/2025

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 of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking extension of the mandate of the Arbitral Tribunal.
4. Issue notice.
5. Mr. Sanjay Bansal, learned counsel accepts notice on behalf of the Respondent.
6. Disputes having arisen between the parties in relation to a Work Order issued by the Petitioner in favour of the Respondent dated 10.01.2013, pertaining to 'Roads, Pavements & External Development Works for



Proposed Alpha International City at Village Baldi, Kailash, Tikri & Uchana at Karnal, Haryana', Respondent invoked the arbitration clause vide notice dated 30.12.2017 and called upon the Petitioner to appoint a Sole Arbitrator. With the consent of the parties, Sh. Ravi Kapoor, Advocate was appointed as the Sole Arbitrator. As the 12 month period envisaged under Section 29A(1) of the 1996 Act came to an end on 20.05.2019, Petitioner approached this Court to extend the time period by filing O.M.P. (MISC.) (COMM) 228/2019. While the petition was pending, Arbitral Tribunal framed issues and commenced recording of evidence. By order dated 18.01.2020, Court extended the mandate by six months. However, further proceedings could not take place on account of Pandemic COVID-19 and on 13.09.2022, Petitioner approached this Court to extend the mandate as the six months had expired on 18.01.2020.

7. It is stated in the petition that while extending the mandate of the Arbitral Tribunal by order dated 10.07.2023 in O.M.P. (MISC.) (COMM) 149/2022, Court substituted the Arbitrator and appointed Mr. Justice (Retd.) Najmi Waziri. Thereafter, from time to time the mandate of the Tribunal was extended by this Court and arbitration proceedings stand concluded and only the award has to be pronounced. There appears to be some controversy with respect to the fees of the Arbitrator, however, it is not necessary to enter into this dispute, in view of the consent given by the counsel for the Respondent today that the pending fees will be deposited and the mandate be extended so that the award can be pronounced.

8. Accordingly, with the consent of the parties, mandate of the learned Tribunal is extended by a period of 04 months from 07.04.2025 and period between 10.01.2025 to 06.04.2025 is regularised.



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

APRIL 7, 2025
B.S. Rohella/Shivam

JYOTI SINGH, J