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

+ **O.M.P.(MISC.)(COMM.) 341/2025**

SLIPCO CONSTRUCTIONS PVT LTD

.....Petitioner

Through: Mr. Rohit Rattu and Mr. Kuljeet Singh Sachdeva, Advocates.

versus

BHARAT HEAVY ELECTRICALS LTD

.....Respondent

Through: Mr. Surjendu Sankar Das, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

30.04.2025

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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 08 months from 07.04.2025.

2. Disputes having arisen between the parties with respect to Letter of Award dated 24.07.2015 issued in favour of the Petitioner by the Respondent for work of construction of one number of 275 M high reinforced concrete twin steel flue chimney, insulation, aviation, lighting and associated electrical and earthing systems all complete for chimney of Units 1 and 2 at 4x270 MW Bhadradi Thermal Power Station, Manuguru, Telangana, which contract was terminated by the Respondent on 22.03.2018, the same were referred to MSME Council under Section 18(1) of MSME Act, 2006 by the Petitioner. Upon failure to reach a settlement, MSME Council referred the matter to arbitration under Section 18(3) of MSME Act to be held under the aegis of Delhi International Arbitration



Centre (DIAC) and a Sole Arbitrator was appointed by DIAC on 27.04.2019.

3. It is stated in the petition that after pleadings were completed, issues were framed on 19.07.2019 and the evidence stood concluded on 07.05.2022, *albeit* some applications were pending for disposal. Mandate of the learned Sole Arbitrator was extended by 08 months by this Court in O.M.P. (MISC.) 18/2022 vide order dated 25.11.2022. However, learned Arbitrator recused from the matter and substitute Arbitrator was appointed on 04.07.2023, whereafter again, mandate was extended by 06 months by this Court on 07.08.2023 in O.M.P. (MISC.) (COMM.) 234/2023. On 14.12.2023, award was reserved by the learned Arbitrator. It is stated that the mandate was extended by 06 months in O.M.P. (MISC.) (COMM.) 115/2024 on 19.02.2024 and again for 08 months on 20.08.2024 in O.M.P. (MISC.) (COMM.) 625/2024. As the award has not been passed, this petition has been filed for extension of the mandate by 08 months.

4. Issue notice.

5. Mr. Surjendu Sankar Das, learned counsel accepts notice on behalf of the Respondent and on instructions, submits that Respondent has no objection to the extension of the mandate of the learned Arbitral Tribunal.

6. Accordingly, with the consent of the parties, mandate of the learned Arbitrator is extended by a period of 03 months from 30.04.2025 and period between 08.04.2025 to 29.04.2025 is regularised.

7. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

APRIL 30, 2025

S.Sharma