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

+ **O.M.P.(MISC.)(COMM.) 361/2025**

M/S DAS CONSTRUCTION

.....Petitioner

Through: Mr. Akshay Sapre, Mr. Abhijeet
Swaroop and Ms. Shivani Karmakar, Advocates.
versus

CONTAINER CORPORATION OF INDIA

.....Respondent

Through: Mr. Ashutosh Kumar Shukla and Mr.
Shubham Malhotra, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **06.05.2025**

I.A. 11205/2025

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

O.M.P.(MISC.)(COMM.) 361/2025

3. 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 the learned Arbitral Tribunal by a period of one year.

4. Disputes having arisen between the parties in relation to an Agreement dated 25.05.2015, Petitioner invoked arbitration vide notice dated 28.03.2018 and vide order dated 01.12.2020, this Court in ARB. P. 487/2019 appointed a Sole Arbitrator. Mandate of the Arbitral Tribunal was extended by the Court till 31.12.2024 vide order dated 09.02.2024 in O.M.P.(MISC.)(COMM.) 70/2024. It is stated that evidence stands concluded and the arbitral proceedings are at the stage of final argument.



5. Learned counsel for the Respondent objects to the delay on the ground that after the mandate expired on 31.12.2024, Petitioner waited for four months to file this petition and should be ousted on this ground. Learned counsel for the Petitioner, on the other hand, submits that it is explained in the petition that Petitioner's representative was on complete bed rest on account of a road accident and the delay in filing this petition is not intentional or deliberate.

6. This Court is satisfied that there is no intentional delay by the Petitioner in approaching this Court and the Petitioner could not approach earlier on account of the accident of its authorised representative. In any event, the proceedings are the stage of final arguments and the Court finds that the learned Arbitrator has been proceeding with the matter expeditiously.

7. Accordingly, mandate of the learned Arbitrator is extended by a period of six months from 06.05.2025 and period between 01.01.2025 to 05.05.2025 is regularised.

8. Petition stands disposed of in the aforesaid terms.

JYOTI SINGH, J

MAY 06, 2025/shivam