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

+ **O.M.P.(MISC.)(COMM.) 397/2025**

EXPRESS FOOD SERVICES

.....Petitioner

Through: Mr. Akshat Bajpai, Mr. Shobhit
Trehana and Ms. Vedika Dalmia, Advocates.

versus

**INDIAN RAIWLAY CATERING AND TOURISM
CORPORATION LIMITED**

.....Respondent

Through: Mr. Harshit Agarwal, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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04.07.2025

1. This petition is filed on behalf of the Petitioner under Section 29A(4) and (5) of the Arbitration and Conciliation Act, 1996 ('1996 Act') for extension of mandate of the learned Arbitrator.
2. As per narrative in the petition, Sole Arbitrator was appointed on 02.06.2022 by this Court in OMP (I) COMM. No. 179/2022. On 29.07.2022, instructions were sent by Delhi International Arbitration Centre ('DIAC') to the Petitioner to file Statement of Claim, which the Petitioner did on 03.06.2023. No further intimation was received from DIAC regarding status of the arbitration between September, 2023 to September, 2024. Petitioner sent an e-mail to DIAC on 09.09.2024 followed by another e-mail dated 21.09.2024 seeking status of arbitration and also enquiring about the steps that can be taken for replacement of the Arbitrator in case the appointed Arbitrator was not interested to continue with the arbitration.
3. It is averred that no response was received from DIAC compelling the Petitioner to file a petition under Section 14(1) of 1996 Act on 30.01.2025,



which was withdrawn on 07.02.2025 as in the meantime communication was received from DIAC that the matter was listed for 17.02.2025. First hearing took place on 17.02.2025 followed by second hearing on 04.04.2025.

4. Learned counsel for the Petitioner submits that the present petition has been filed for extension of mandate of the Arbitrator in light of the order passed by the Arbitrator on 04.04.2025 recording that no steps have been taken for seeking extension of time from the Court to obviate any objection on the ground that time for making and publishing the award has expired.

5. Learned counsel for the Respondent submits that Statement of Defence will be filed within four weeks from today and does not oppose extension of the mandate of the learned Arbitrator.

6. With the consent of the parties, mandate of the learned Arbitrator is extended upto 31.12.2025 from today.

7. Petition is disposed of in the above terms.

JYOTI SINGH, J

JULY 04, 2025/YA/RW