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

+ **O.M.P.(MISC.) (COMM.) 444/2025**

MICROMAX INFORMATICS LIMITED

.....Petitioner

Through: Ms. Apoorva Singh, Adv. (through
vc)

versus

M/S SHREE VINAYAK ENTERPRISES

.....Respondent

Through: Mr. Yogyank Mishra, Adv.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **08.07.2025**

1. This is a petition under Section 29A of the Arbitration and Conciliation Act, 1996 [‘the Act of 1996’] seeking extension of mandate of the Arbitral Tribunal in respect of the ongoing arbitration proceedings before Hon'ble Ms. Justice Gita Mittal, learned sole arbitrator, arising out of a commercial dispute between the Petitioner and the Respondent herein.
2. It is stated that previously similar petitions under Section 29A of the Act of 1996 was filed and the mandate of the sole arbitrator has already been extended twice vide order(s) dated 13.10.2023 passed in OMP (MISC.) COMM. No. 476/2023; (ii) order dated 16.08.2024 passed in OMP. (MISC.) COMM. No. 407/2024.
3. It is stated that the present petition is being preferred in furtherance of the Order dated 26.02.2025 passed by the sole arbitrator wherein it was directed to the parties to move an appropriate application for extension of mandate before the concerned Court of Law since the mandate of the



Arbitral Tribunal has expired on 16.02.2025.

4. It is stated that due to change of the counsels by the Petitioner company, there has been a delay in filing the present petition.

5. It is stated that the matter is at the stage of final arguments, and it will be concluded before the Arbitral Tribunal in the extended time.

6. Issue notice.

7. Mr. Yogyan Mishra, learned counsel accepts notice on behalf of the Respondent.

7.1 He however states that the subject matter of the dispute is an agreement dated 09.04.2018 and the Respondent is disputing its signatures on the said agreement. He states that in fact, the Respondent is in the process of obtaining an expert opinion with respect to the stance that the signatures of the Respondent as they appear on the said agreement are not genuine.

8. In the considered opinion of this Court, the plea raised by the Respondent is on the merits of the disputes and is a plea which ought to be raised before the Arbitral Tribunal so that it can be decided after appreciating evidence on merits. However, this is not a ground to be considered in a petition while exercising jurisdiction under Section 29A.

9. Learned counsels for the parties' states that they will cooperate with the Arbitral Tribunal for completing recording of evidence and final arguments so that the award can be published within six (6) months.

10. Having considered the averments made in the petition and in view of joint request of the parties, the petition is allowed and the mandate of the Arbitral Tribunal for completion of arbitral proceedings and for passing an arbitral award is extended till **31.01.2026**.

11. The mandate of the Arbitral Tribunal for the period from 16.02.2025



until today is hereby regularised.

12. Learned Arbitral Tribunal is requested not to grant any unnecessary adjournment to the either party so that the award can be published within six (6) months.

13. Needless to state that the rights and contentions of the parties on the merits of the disputes shall remain open and decided by the Arbitral Tribunal.

14. Accordingly, the petition is disposed of.

JULY 8, 2025/msh/AM

MANMEET PRITAM SINGH ARORA, J

Click here to check corrigendum, if any