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

+ O.M.P.(MISC.)(COMM.) 457/2025

DIMECO (FORMERLY KNOWN AS DIMECO

ALIPRESSETHROUGH ITS INDIAN AGENT

MIS KRITI INTER TRADE

.....Petitioner

Through: Mr. N.L. Ganapathi, Ms. Preeti Singh
and Ms. Sanjana Jain, Advocates.

versus

CENTRAL ORGANISATION FOR

MODERNIZATION OF WORKSHOPS THROUGH

CONTROLLER OF STORES & ANR.

.....Respondents

Through: Mr. Himanshu Pathak, SPC and Mr.
Amit Singh, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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30.05.2025

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') seeking extension of the mandate of the Sole Arbitrator till 30.11.2025.

2. Disputes having arisen between the parties in respect of Contract dated 13.10.2011, Petitioner filed O.M.P.(I)(COMM.) 325/2021 under Section 9 of 1996 Act seeking interim restraint order against the Respondents from taking coercive measures with respect to rejection Memo dated 26.08.2021. Challenging the order dated 29.09.2021 of the learned Single Judge holding that no interim relief was called for, Petitioner filed FAO(OS)(COMM) 133/2021 before the Division Bench, wherein by consent of the parties, Sole Arbitrator was appointed to adjudicate the disputes. As the arbitral proceedings progressed, mandate of the Arbitrator was extended by this Court from time to time and lastly vide order dated 03.09.2024 in O.M.P.(MISC.)(COMM.) 673/2024 upto 28.02.2025.

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3. It is submitted by learned counsel for the Petitioner that the Arbitrator has reserved the award for pronouncement and since the mandate has expired on 28.02.2025, the same be extended till 30.11.2025 to enable the Arbitrator to pass the award.
4. Issue notice.
5. Mr. Himanshu Pathak, learned counsel accepts notice on behalf of the Respondents and submits, on instructions, that Respondents have no objection to the extension of the mandate, subject to Petitioner withdrawing an application filed for clarification in O.M.P.(MISC.)(COMM.) 673/2024 pending before the Coordinate Bench.
6. Responding to the objection, learned counsel for the Petitioner submits that Petitioner has already stated in the petition in paragraph 2.23 that since the Arbitrator is awaiting orders on I.A. 4964/2025 for clarification and the arbitral proceedings are not progressing, Petitioner has decided not to press the application and in keeping with this averment, Petitioner will be filing an appropriate application for withdrawal of I.A. 4964/2025.
7. Accordingly, with the consent of the parties and subject to Petitioner withdrawing I.A. 4964/2025 in O.M.P. (MISC.) (COMM.) 673/2024, mandate of the learned Arbitrator is extended upto 30.11.2025 from 30.05.2025 and the period between 01.03.2025 to 29.05.2025 is regularised.
8. Petition is allowed and disposed of in the aforesaid terms.

JYOTI SINGH, J

MAY 30, 2025/RW

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