



\$~68

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

+ O.M.P.(MISC.)(COMM.) 512/2025

PUNE SOLAPUR EXPRESSWAYS
PRIVATE LIMITED

.....Petitioner

Through: Mr. Malak Bhatt, Ms. Neeha Nagpal
and Mr. Saahil Bahety, Advocates.

versus

NATIONAL HIGHWAY AUTHORITY
OF INDIA

.....Respondent

Through: Mr. Vyom Chaturvedi, Advocate.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

08.07.2025

%

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') seeking extension of the mandate of the learned Arbitral Tribunal by a period of 12 months.
2. Petitioner is stated to be the Claimant in the arbitration proceedings pending against NHAI claiming *inter alia* extension of concession period beyond the period of 21 years as stipulated in the Concession Agreement dated 19.05.2009. Pleadings in the arbitral proceedings were completed by the parties on 03.01.2023, whereafter parties filed their respective affidavits of evidence by May, 2023 and the Arbitral Tribunal scheduled the dates for examination of Petitioner's witness, CW-2 between 16.08.2023 to 19.08.2023.



3. It is stated in the petition that examination of CW-2 commenced, however, considering the complexities of the disputes, parties deemed it fit to appoint an independent external expert for assessment of traffic data, which is one of the key issues in the dispute. On 24.08.2023, Petitioner filed an application for appointment of the expert and the Arbitral Tribunal directed the parties to file joint petition setting out parameters and list of three experts, which was furnished by the parties on 17.01.2024. In the meantime, since the mandate of the Arbitral Tribunal expired on 02.01.2024, the same was extended by six months with the consent of the parties. By order dated 31.05.2024, this Court in O.M.P. (MISC.)(COMM.) 467/2024 extended the mandate of the Arbitral Tribunal by one year. The arbitral proceedings are stated to be at the stage of finalising the Terms of Reference for appointment of the expert. Mandate of the Arbitral Tribunal has expired on 03.07.2025 and extension is thus sought by the Petitioner.

4. Issue notice.

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

6. Accordingly, with the consent of the parties, mandate of the Arbitral Tribunal is extended by a period of 12 months from 04.07.2025.

7. Petition is allowed and disposed of in the aforesaid terms.

JYOTI SINGH, J

JULY 08, 2025/shivam