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

+ **O.M.P.(MISC.)(COMM.) 536/2023 & I.A. 21020/2023**

PRAMOD KUMAR GOEL

.....Petitioner

Through: Mr. Bhupesh Narula, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY

.....Respondent

Through: Mr. Anish Dhingra, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

21.01.2025

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1. This Petition under Section 29A of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.
2. Material on record indicates that the Petitioner had approached this Court by filing a petition being ARB.P. 188/2021 for appointment of an Arbitrator to adjudicate upon the disputes which had arisen between the parties under a tender floated by the Respondent for construction of 20 MIG houses at Ashok Nagar along Faiz Road, Delhi and this Court vide Order dated 12.07.2021 had constituted an Arbitral Tribunal. Material on record indicates that pleadings stood completed and the mandate of the Arbitral Tribunal was extended with the consent of both the parties by six months which has expired on 27.08.2023.
3. It is stated that the Petitioner had filed the present petition on 16.10.2023. However, unfortunately, the matter could not be taken up for



hearing since then.

4. Learned Counsel appearing for the Respondent/DDA states that he has no objection to the extension of mandate of the Arbitral Tribunal.

5. It is stated that at the time when the extension of mandate was sought, the claimant had completed its arguments and the Respondent was about to complete its arguments.

6. The Apex Court in Rohan Builders (India) Private Limited v. Berger Paints India Limited, **2024 SCC OnLine SC 2494**, has held that an application for extension of the time period for passing an arbitral award under Section 29A(4) read with Section 29A(5) is maintainable even after the expiry of the twelve-month or the extended six-month period, as the case may be.

7. Since substantial amount of money and time has been spent in the arbitration proceedings, this Court is inclined to regularize the time from June, 2023 to January, 2024 and further inclined to extend the mandate of the Arbitral Tribunal for a period of one year from today, so that the award can be pronounced. The Arbitral Tribunal is requested to hear and pronounce the Award on or before 21.01.2026.

8. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JANUARY 21, 2025

S. Zakir