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

+ **O.M.P.(MISC.)(COMM.) 709/2025 and I.A. 21378/2025**

CTRLS DATACENTERS LIMITED

.....Petitioner

Through: Ms.Dhriti Mehta and Mr. Jeevan,
Advocates.

versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

.....Respondent

Through: Mr.Peeyosh Kalra, Mr. Yashwant
Singh, Ms.Meghna Nair and Mr.
Shoaib Akhter, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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16.09.2025

1. Heard learned counsel appearing on behalf of the parties.
2. Mr. Peeyosh Kalra, learned counsel for the respondent, submits that the reply has been filed.
3. Let the said reply be placed in the digital record of the Court.
4. Learned counsel for the respondent has handed over the hard copy of the reply across the board.
5. The same has been considered for passing of the order.
6. The facts of the case would indicate that the mandate of the Arbitrator had expired on 28.10.2024, and the petition came to be filed on 20.08.2025.
7. Mr. Kalra, learned counsel, therefore, submits that there is an inordinate delay in approaching the Court.



8. Under these circumstances, he places reliance on the decision of this Court in the case of ***GL Litmus Events Pvt. Ltd. vs. Delhi Development Authority***², and contends that when there is an inordinate and unexplained delay in the pronouncement of the award, the same itself is enough to set it aside.

9. *Per contra*, Ms.Dhriti Mehta, learned counsel for the petitioner, draws the attention of this Court to paragraph no.16 of her petition, and she points out that the arguments were concluded on 28.05.2024, whereas the mandate of the Arbitrator was in force till 28.10.2024.

10. She, therefore, submits that thereafter the petitioner has taken various steps before the Arbitrator to pursue the pronouncement of the award. She has drawn the attention of this Court to some of the communications, which have been placed on record.

11. Paragraph no.16 of the petition is extracted as under:-

“16. However, owing to the complex technical/legal issues involved in the arbitration proceedings and the extensive volume of the record, the award could not be pronounced by the Learned Arbitral Tribunal by 28 October 2024. At this juncture, it is pertinent to highlight that several verbal requests were made by the Petitioner to the Learned Tribunal to provide an estimate of time that the Learned Tribunal would require for finalising and passing the arbitral award. To that effect, on 26 May 2025 and 26 June 2025, the Petitioner also sent emails to the Learned Arbitral Tribunal requesting an estimate of the time that the Learned Tribunal would require for finalising and passing the arbitral award, so that immediately upon receiving the necessary directions from the Hon’ble Tribunal, appropriate application under Section 29A of the Arbitration and Conciliation Act, 1996 may be filed.”

12. I have considered the submissions made by learned counsel for the parties, and also perused the record.

13. In view of the overall situation that persists, the Court deems it

² OMP (Comm) No.189/2018 dated 01.09.2025,



appropriate to extend the mandate of the Arbitrator.

14. It be noted that so far as the decision relied upon by Mr. Kalra, in the case of **GL Litmus Events Pvt. Ltd.** is concerned, the same relates to a situation where the pronouncement of the award itself was after the mandate had expired.

15. The said decision will have no application under the facts of the present case if the Court considers to regularize the period between the expiry of the mandate till the award is pronounced.

16. It be also noted that in the instant case, the arguments were concluded on 28.05.2024, well within the mandate of the Arbitrator itself. After 28.05.2024, there was nothing in the hands of the petitioner, so as to conclude the arbitration proceedings, and in pronouncing the award and the same is within the hands of the concerned Arbitral Tribunal.

17. Under these circumstances, the Court deems it appropriate to extend the mandate of the Arbitrator from 28.10.2024 to 20.08. 2025.

18. With the aforesaid observations, the instant petition stands disposed of along with all pending application(s).

PURUSHAINDR KUMAR KAURAV, J

SEPTEMBER 16, 2025

Nc/mj