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

+ **O.M.P.(MISC.)(COMM.) 812/2025**

KALPATARU PROJECTS INTERNATIONAL LIMITED

.....Petitioner

Through: Ms. Anu Tiwari, Mr. Sudhir Kumar,
Bloria, Mr. Sushant Tomar and Mr.
Shubham Devrani, Advocates.

versus

SANTOSHI HYVOLT ELECTRICALS PRIVATE LIMITED

.....Respondent

Through: Mr. Ishu Bansal, Mr. Yogesh Mittal,
Mr. Sidhaarth Joshi, Ms. Sapna
Chaudhary, Mr. Naveen Bhati, Mr.
Nitin Kumar, Mr. Rydhem Nagar, Mr.
Umang Bansal and Ms. Mahima
Adhikari, Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **14.11.2025**

1. The present petition under Section 29A(5) & (6) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.
2. It is stated that the Arbitral Tribunal was appointed by this Court *vide* Orders dated 18.01.2023 and 23.01.2023, passed by this Court in ARB.P. 552/2022 and ARB.P. 418/2022 respectively. It is stated that the learned Arbitrator recused himself on 28.01.2025 and subsequently, this Court *vide* Order dated 04.09.2025 in ARB.P. 783/2025 and other connected matters, appointed Justice G. S. Sistani (Retd.), Former Judge of this Court.



3. It is the case of the Petitioner that the learned Arbitrator has started proceedings from the stage from where the earlier Arbitrator left the proceedings. It is stated that the pleadings were completed in August 2023. It is stated that the period of one year got over in August 2024 and the parties extended the mandate of the learned Arbitrator by way of mutual consent for six months. It is stated that the said mandate expired on 28.01.2025. It is stated that the matter is at the stage of Respondent's evidence.

4. It is stated that the Arbitrator, who was appointed by this Court vide Order dated 04.09.2025, is awaiting the extension of mandate to continue with the proceedings. The Petitioner has, therefore, approached this Court for extension of mandate of the Arbitrator.

5. 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.

6. In view of the facts of the present case, this Court is inclined to regularize the period from 28.01.2025 till today and extend the mandate of the Arbitral Tribunal till 31.11.2026, so that the award can be pronounced.

7. The petition is disposed of, along with the pending applications, if any.

8. Since the present matter only pertains to extension of the mandate of the learned Arbitrator, this Order is only confined to extension of the mandate only and all the allegations and objections raised by the Petitioner



on the conduct of the Respondent in the Arbitral proceedings or otherwise are eschewed as they are irrelevant for the proceedings.

SUBRAMONIUM PRASAD, J

NOVEMBER 14, 2025

Rahul