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

+ **O.M.P.(MISC.)(COMM.) 931/2024**

ENERGY EFFICIENCY SERVICES LIMITEDPetitioner

Through: Mr. Ashish Kumar Sharma,
Advocate.

versus

A ONE REALTORS PVT LTDRespondent

Through: Ms. Ripu Adlakha, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

17.01.2025

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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 Sole Arbitrator.
2. Material on record indicates that the Petitioner invited bids for Hiring of Distribution Agency for Distribution, Storage, Inventory Management of energy efficient appliances. The Respondent herein was declared as the successful bidder for three states i.e., Uttar Pradesh, Madhya Pradesh and Rajasthan. Disputes arose between the parties under the said contract and arbitration was invoked. This Court vide Order dated 31.03.2022 passed in CS(COMM) 610/2019 had appointed a Sole Arbitrator to adjudicate upon the dispute between the parties. Pleading stood completed on 21.02.2023.
3. The parties are not *ad idem* as to when does the period of one year come to an end after the completion of pleadings.



4. Learned Counsel appearing for the Respondent states that the mandate has come to an end on 21.02.2024. The parties, thereafter, mutually extended the mandate for a period of six months as mandated under Section 29A of the Arbitration and Conciliation Act, 1996 and the mandate came to an end on 19.08.2024.

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, if there are sufficient reasons given.

6. It is stated that the evidence is complete and both the parties are at the stage of advancing final arguments.

7. In view of the facts of the present case, this Court is inclined to extend the mandate of the Sole Arbitrator till 11.08.2025, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

JANUARY 17, 2025

S. Zakir