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

+ O.M.P.(MISC.)(COMM.) 934/2025

M/S KMA CATERERS

.....Petitioner

Through: Mr. Akshat Bajpai, Mr. Shobit Trehan, Ms. Vedika Dalmia, Ms. Renuka Parmanand, Mr. Atul Pandey and Ms. Jayashree Mishra, Advocates

versus

INDIAN RAILWAY CORPORATION LIMITED

CATERING AND TOURISM
.....Respondent

Through: Mr. Jitendra Kumar Singh with Ms. Harshita Singh and Ms. Shivpriya, Advocates

+ O.M.P.(MISC.)(COMM.) 935/2025

M/S KMA CATERERS

.....Petitioner

Through: Mr. Akshat Bajpai, Mr. Shobit Trehan, Ms. Vedika Dalmia, Ms. Renuka Parmanand, Mr. Atul Pandey and Ms. Jayashree Mishra, Advocates

versus

INDIAN RAILWAY CORPORATION LIMITED

CATERING AND TOURISM
.....Respondent

Through: Mr. Jitendra Kumar Singh with Ms. Harshita Singh and Ms. Shivpriya, Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD



ORDER

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18.11.2025

I.A. 28072/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 934/2025

I.A. 28073/2025 (Exemption) in O.M.P.(MISC.)(COMM.) 935/2025

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 934/2025

O.M.P.(MISC.)(COMM.) 935/2025

1. The present petition under Section 29A(5) & (5) 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 this Court vide Order dated 31.10.2022 appointed Mr. Abhijat, Senior Advocate, as the Sole Arbitrator to adjudicate on the disputes between the parties. The mandate of the Arbitral Tribunal was extended from time to time and the last such extension was granted by this Court vide Order dated 19.05.2025 by which the mandate of the learned Sole Arbitrator was extended till 11.11.2025. It is stated that the mandate of the learned Arbitrator has expired on 11.11.2025, and therefore, the present petition has been filed for extending the mandate of the Arbitral Tribunal.
3. It is stated that cross-examination of Respondent is going on before the Arbitrator and, therefore, the mandate of the Arbitrator be extended for a period of 11 months.
4. 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.

5. In view of the facts of the present case, this Court is inclined to regularize the period from 11.11.2025 till today and extend the mandate of the Arbitral Tribunal till 30.07.2026, so that the award can be pronounced.

6. The petitions are disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

NOVEMBER 18, 2025

Rahul