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

+ O.M.P.(MISC.)(COMM.) 949/2025

DAULAT RAM DHARAM BIR AUTO PRIVATE LIMITED AND
ORSPetitioners

Through: Mr. Gaurav Gupta and Mr. Advocate
Thakur Ankit Singh, Advocates

versus

PIVOTAL INFRASTRUCTURE PRIVATE LIMITED AND ORS
.....Respondents

Through: Mr. Nikhil Goel Sr. Adv and Mr.
Aniruddha Deshmukh, Advocates for
R-1
Mr. Udit Gupta and Ms. Pragya
Gupta, Advocates for R-3

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
20.11.2025

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1. The present petition under Section 29A (4) & (5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioners seeking extension of the mandate of the Arbitral Tribunal.
2. Material on record indicates that the Arbitral Tribunal was constituted by this Court on 27.04.2023. The mandate of the Arbitral Tribunal has expired on 23.11.2025, and therefore, the present petition has been filed for extending the mandate of the Arbitral Tribunal.
3. Mr. Nikhil Goel, learned Senior Counsel appearing for the Respondents states that in the last four months, four hearing have been conducted by the learned Arbitrator and in all the hearings, the Petitioners



have sought time. He further states that the proceedings have been delayed due to this of the Petitioners.

4. Be that as it may, it is agreed by both parties that since substantial progress has been made in the arbitral proceedings, Prosecution's witnesses have already been examined and the matter is at the stage of cross-examination of Respondent's witnesses, the mandate of the Arbitral Tribunal can be extended for a period of 6 months. In view of the same, this Court is inclined to extend the mandate of the arbitration by 6 months.

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 23.11.2025 till today and extend the mandate of the Arbitral Tribunal till 31.07.2026, so that the award can be pronounced.

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

8. It is made clear that this order has been passed only to the extent of extension of mandate of the Arbitral Tribunal, all the other allegations made regarding the conduct of the Petitioners and/or Respondents stand eschewed.

SUBRAMONIUM PRASAD, J

NOVEMBER 20, 2025

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