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

+ **O.M.P.(MISC.)(COMM.) 958/2024**

RAJESH KUMAR GAMBHIR & ORS.

.....Petitioners

Through: Ms. Anindita Saha Debabhuti,
Advocate.

versus

GURPREET SINGH ANAND & ORS.

.....Respondents

Through: Mr. Siddharth Narang, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

26.03.2025

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1. This petition is preferred on behalf of the Petitioners under Section 29A of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking extension of time for completion of arbitral proceedings and passing of the award.

2. Disputes between the parties arise out of Collaboration-cum-Redevelopment Agreements dated 13.08.2012 and 09.12.2014 and Agreement to Sell dated 21.03.2016. Disputes having arisen, Petitioners filed an application before this Court being Arb. Pet. No. 289/2022 for appointment of an Arbitrator, which was allowed on 31.08.2022 and sole Arbitrator was appointed.

3. It is stated in the petition that Petitioners filed their Statement of Claim on 20.03.2023 and prior thereto an application under Section 17 of the 1996 Act on 28.12.2022 after the learned Arbitrator entered upon reference on 28.12.2022. Respondents did not appear and were proceeded *ex parte* on 05.04.2023. However, Respondent No. 1's counsel informed the



Tribunal on 12.05.2023 that Respondent No. 1 was in judicial custody and matter was adjourned. Written statement/Counter claim was filed by Respondents on 27.06.2023 and later vide order dated 18.09.2023, their application under Order IX Rule 7 CPC was allowed and pleadings were taken on record.

4. It is further averred that Petitioners filed their rejoinder and evidence by way of affidavit on 05.04.2024 and Respondents filed affidavit of admission and denial on 17.05.2024. On 05.07.2024, Petitioners presented their proposed issues but Respondents failed to proceed in the matter and sought termination of the proceedings on 24.08.2024 on the ground that initial period of 12 months had expired. On 07.09.2024, learned Arbitrator recorded that his mandate is going to expire on 17.09.2024. In these circumstances, Petitioner preferred this petition.

5. Learned counsel for the Respondent, on instructions, submits that Respondents have no objection to the mandate of the learned Arbitral Tribunal being extended by a period of six months and the period from 18.09.2024 being regularised.

6. Accordingly, with the consent of the parties, mandate of the Tribunal is extended by a period of six months from 28.03.2025 to enable the learned Arbitrator to complete the proceedings and pass the award. Period between 18.09.2024 to 27.03.2025 is regularised.

7. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

MARCH 26, 2025

S.Sharma/shivam