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

+ **O.M.P.(MISC.)(COMM.) 965/2025**

I T I LIMITED

.....Petitioner

Through: Mr. L. B. Rai, Mr. Kartik Rai, Mr. Satvik Rai, Mr. Vineesh Tyagi, Mr. Rohit Kumar Poodar, Mr. Nikhil Chaydhary and Mr. Ayoush Pandita, Advocates

versus

ENERGY EFFIECIENCY SERVICE LIMITEDRespondent

Through: Mr. Samdarshi Sanjay, Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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26.11.2025

Since 25.11.2025 was declared as a Holiday on the occasion of 350th anniversary of 'Guru Teg Bahadur's Martyrdom Day' this matter has been taken up today, i.e. on 26.11.2025.

I.A. 29421/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 965/2025

1. The present petition under Section 29A(4) & (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 an Arbitral Tribunal was constituted on 13.02.2023. The last of the mandate of the Arbitral Tribunal has been extended by this Court till 02.10.2025. The mandate of the Arbitral Tribunal



has expired on 02.10.2025, and therefore, the present petition has been filed for extending the mandate of the Arbitral Tribunal.

3. It is stated that the arbitration is at the stage of evidence.

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 02.10.2025 till today and extend the mandate of the Arbitral Tribunal till 30.09.2026, so that the award can be pronounced.

6. It is made clear that this Order is only confined to the request for extending the mandate of the Arbitral Tribunal and all the allegations/averments made against the Respondent in the present petition regarding its conduct or otherwise stand eschewed.

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

SUBRAMONIUM PRASAD, J

NOVEMBER 26, 2025

S. Zakir