



\$~70

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

+ O.M.P. (MISC.) 35/2025

MS RUDRAKSH ENTERPRISES

.....Petitioner

Through: Mr. Somnath Bhattacharya and Mr.
Pradeep Tripathi, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Siddhartha Shankar Ray, Central
Government Standing Counsel with
Mr. Suryadeep Singh, Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

01.12.2025

%

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 the Arbitral Tribunal was constituted by this Court on 20.04.2023, and pleadings in the arbitration proceedings were concluded in the year 2023 itself. Thereafter, Parties have extended the period of mandate for a period of six months by mutual consent.
3. Material on record further indicates that vide Order dated 08.08.2025, the learned Arbitrator passed the following directions:

“5. Parties are also conscious of the provisions of Section 29A (Time Limit for arbitral award) of the Arbitration and Conciliation Act, 1996 as amended, wherein the Award has to be passed by the Tribunal



within a period of Twelve (12) months from the date of completion of proceedings under sub-section (4) of Section 23 of the Act. The Tribunal entered upon reference vide its Order dated 16.05.2023 and pleadings were completed and issues were framed in the matter on 28.08.2024. This Tribunal vide its earlier Order dated 29.04.2025 informed the parties that the period of Twelve (12) months for passing the Award will end on or about 28.08.2025. However, till date there is no response from the parties on the same. Attention of the Parties is also drawn to sub-section (3) of Section 29A of the Act wherein the parties may, by consent, extend the period specified in sub-section (1) of Section 29A of the Act for making the award for a further period not exceeding six months; otherwise the mandate of the arbitrator shall terminate unless the Hon'ble Court extends the period. Parties are directed to take necessary steps accordingly, otherwise the mandate of the arbitrator shall terminate on 28.08.2025.”

4. A perusal of the above paragraph shows that, the mandate of the Arbitral Tribunal had come to end on 28.08.2025. However, the matter was taken up by the Arbitrator on 30.08.2025, where the Arbitrator noticed that a Petition under Section 29A of the Arbitration and Conciliation Act, 1996 has not been filed. Relevant paragraph of the said Order reads as under:-

“5. It is once again informed to the Parties that the period of Twelve (12) months for passing the Award has come to end on 28.08.2025. However, till date there is no consent to extend the proceedings for Six months for passing of the Award in the matter from the Respondents. In view of the same the mandate of the Ld. Arbitrator stands terminated unless the Hon'ble Court extends the period. Parties are directed to take necessary steps accordingly.”



5. Thereafter, the instant Petition was filed on 11.11.2025. In view of the fact that substantial time has been consumed in the Arbitration, the Petitioner has concluded his side of the arguments and the case is listed for arguments on behalf of the Respondent, this Court is inclined to extend the mandate of the Arbitral Tribunal till 30.05.2026 for enabling the Arbitrator to complete the proceedings and pronounce the Award.
6. It is made clear that all the allegations in the Petition attributing to the Union of India have been eschewed, as this Order is only limited to issue of extension of the mandate of the Arbitrator.
7. In view of the above, the Petition is disposed of in the above terms.

SUBRAMONIUM PRASAD, J

DECEMBER 01, 2025
Prateek