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

+ O.M.P.(MISC.)(COMM.) 992/2025

SGS INFRATECH LTD.

.....Petitioner

Through: Mr. Lokesh Patodia Ms. Manisha
Parmar Mr .Dinesh Gandhi Ms.
Shreya Bhola, Advocates

versus

ARCHANA HEALTH FOOD, & ANR.

.....Respondents

Through: Mr. Abhimanyu Mahajan, Ms.
Madhavi Agrawal, Mr. Vaibhav Niti
and Ms. Anubha Goel, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

04.12.2025

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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 Petitioner for extending the mandate of the Arbitral Tribunal.

2. Material on record indicates that an Arbitral Tribunal was constituted by this Court *vide* Order dated 13.09.2022 to adjudicate on the disputes between the parties. The Arbitrator entered reference and pleadings were completed on 15.12.2022. The period of one year expired on 15.12.2023. Material on record does not disclose that the parties have extended the mandate by mutual consent. It is stated that the award has been reserved on 03.07.2024. The present Petition for extending the mandate of the Arbitral Tribunal was filed on 14.11.2025.



3. Even if it is assumed that the parties have extended the mandate of the Arbitral Tribunal by way of mutual consent, the period of such extension would have expired on 15.06.2024.

4. Though, the Arbitrator ought not to have proceeded ahead with the arbitration proceedings without getting the mandate extended. However, since the parties have participated in the arbitral proceedings and the award has been reserved, without making any comments on the rights of the parties to challenge the Award on the ground of delay, this Court, in view of the Judgment of the Apex Court in Rohan Builders (India) Private Limited v. Berger Paints India Limited, **2024 SCC OnLine SC 2494**, is inclined to regularize the mandate of the Arbitral Tribunal till today and extend the mandate till 05.01.2026 to enable the learned Arbitrator to pronounce the award.

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

SUBRAMONIUM PRASAD, J

DECEMBER 04, 2025

Rahul