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

+ **O.M.P.(MISC.)(COMM.) 1013/2024**

**M/S NATIONAL COMMODITIES MANAGEMENT SERVICES
LIMITED**Petitioner

Through: Mr. Vishal Bhatnagar, Ms. Reena
Khunger, Ms. Lata Walia, Mr. Sahil
Vidhuri, Ms. Rani Yadav Advocates

versus

GAURI SHANKAR RICE MILL AND ANRRespondents

Through: Mr. K B Upadhyay, Ms Kalpana &
Ms Preeti Singh, Advocates

**CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

ORDER
09.01.2025

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1. This Petition under Section 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Sole Arbitrator.
2. Material on record indicates that this Court *vide* Order dated 11.08.2021 had appointed Sh. J. R. Midha (Retd. Justice), as the Arbitrator, to adjudicate upon the disputes between the parties.
3. It is stated that the mandate of the Arbitrator has expired on 30.11.2024
4. It is stated by the learned Counsel for the Petitioner that the matter is at the stage of evidence and, therefore, the mandate of the Arbitrator be extended for a period of three 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. Accordingly, this Court is inclined to extend the mandate of the Arbitral Tribunal for a further period of one year from today, so that the award can be pronounced and no further extension of time would be required by the Tribunal.
7. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JANUARY 09, 2025
RJ