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

+ **O.M.P.(MISC.)(COMM.) 1016/2024**

**MS ORIENTAL FOUNDRY PVT LTD**

.....Petitioner

Through: Mr. Ashish Mukhi and Mr. Anand  
Amit, Advocates

versus

**CONTAINER CORPORATION OF INDIA LTD** .....Respondent

Through: Mr. Rishi K Awasthi and Mr. Rahul  
Raj Mishra, Advocates

+ **O.M.P.(MISC.)(COMM.) 1020/2024**

**MS ORIENTAL FOUNDRY PVT LTD**

.....Petitioner

Through: Mr. Ashish Mukhi and Mr. Anand  
Amit, Advocates

versus

**CONTAINER CORPORATION OF INDIA LTD** .....Respondent

Through: Mr. Rishi K Awasthi and Mr. Rahul  
Raj Mishra, Advocates

**CORAM:**

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

**ORDER**

% **07.01.2025**

**I.A. 49797/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 1016/2024**

**I.A. 49838/2024 (Exemption) in O.M.P.(MISC.)(COMM.) 1020/2024**

Allowed, subject to all just exceptions.

**O.M.P.(MISC.)(COMM.) 1016/2024**

**O.M.P.(MISC.)(COMM.) 1020/2024**

1. These petitions have been filed under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 seeking extension of mandate of the Arbitral Tribunal for making the arbitral award.
2. Material on record indicates that disputes arose between the parties



under the Contract dated 12.09.2019. It is stated that an Arbitral Tribunal was constituted by this Court on 18.11.2022 to adjudicate upon the disputes between the parties. It is stated that arguments have been concluded and the matters are reserved for pronouncement of the Award on 16.09.2024.

3. It is stated that since mandate of the Arbitral Tribunal for pronouncing the award has come to an end on 28.10.2024, the Petitioner has approached this Court for extension of time for making the award.

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 fact that the matters are reserved for pronouncement of the Award, this Court is inclined to extend the mandate of the Arbitral Tribunal for a period of eight months from 28.10.2024 so that the Award can be pronounced and no further extension of time would be required by the Tribunal.

6. The petitions are disposed of along with the pending applications, if any.

**SUBRAMONIUM PRASAD, J**

**JANUARY 07, 2025**

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