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

+ **O.M.P.(MISC.)(COMM.) 1019/2024**

HARPAL SINGH & ORS

.....Petitioners

Through: Mr. Vishnu Anand Adv.

versus

MIS CHETANYA BUILCON PRIVATE LIMITED & ORS.

.....Respondents

Through: Mr. Shreyans Singhvi, Ms Tanuja Singh and Ms. Akanksha Agrawal, Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **07.01.2025**

I.A. 49829/2024 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 1019/2024

1. This is a petition 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 Property Development Agreement dated 27.07.2018. It is stated that since Respondent No.1 failed to complete the construction of the property under the Property Development Agreement by the agreed time period, i.e.27.01.2020, arbitration proceedings were initiated by the Petitioners.



3. It is stated that an Arbitrator was appointed by this Court to adjudicate upon the disputes between the parties. It is stated that the learned Arbitrator entered Reference on 03.08.2022. It is stated that the matter is at the stage of final arguments.
4. It is stated that since mandate of the Arbitral Tribunal for making the award has come to an end on 31.12.2024, the Petitioner has approached this Court for extension of time for making the award. It is stated by the learned Counsel for the Petitioner that additional time of at least three months would be required for making the Arbitral Award.
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. In view of the fact that the matter is at the stage of stage of final arguments, this Court is inclined to extend the mandate of the Arbitral Tribunal for a period of six months from 31.12.2024 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 07, 2025

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