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

+ **O.M.P.(MISC.)(COMM.) 1/2025**

T.K. ENGINEERING CONSORTIUM PVT. LTD.Petitioner

Through: **Mr. Rajesh Roshan, Advocate**

versus

**NATIONAL HIGHWAY AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITEDRespondent**

Through: **Ms. Gunjan Sinha Jain and Ms.
Muskaan Gopal, Advocates**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **07.01.2025**

I.A. 24/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 1/2025

1. This Petition under Section 29A(4) and (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 appointed by this Court on 17.10.2022 in a petition being ARB. P. 650/2022 filed by the Petitioner to adjudicate upon the disputes between the parties. The Arbitral Tribunal entered reference on 01.11.2022. Pleadings stood completed on 27.03.2023.
3. It is stated that examination of witnesses and argument of the Petitioner are complete and the argument of the Respondent is going on.



4. It is stated by the learned Counsel for the Petitioner that he withdraws all the allegations made on the conduct of the Respondent and the learned Counsel for the Respondent in the petition.

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 first extension has been sought, this Court is inclined to extend the mandate of the Arbitral Tribunal for a period of one year from today, so that the award can be pronounced.

7. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JANUARY 07, 2025

S. Zakir