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

+ **O.M.P.(MISC.)(COMM.) 16/2025**

M/S. D.S. PANNU AND ASSOCIATES PRIVATE LIMITED

.....Petitioner

Through: Mr. Hardik Vashisht, Advocate

versus

**EXECUTIVE ENGINEER NATIONAL HIGHWAY DIVISION
CHATTISGARH PWD JAGDALPUR**

....Respondent

Through: Mr. Ankur Mittal, Mr. Abhay Gupta,
Mr. Ashish Gajwani, Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

10.01.2025

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I.A. 391/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 16/2025 & I.A. 392/2025

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 discloses that to adjudicate on the disputes between the parties, the parties mutually constituted an Arbitral Tribunal. Pleadings were completed before the learned Arbitrator on 08.05.2023 and the period of one year of the Arbitral Tribunal got over on 08.05.2024 and the parties extended the mandate of the Tribunal by six months by mutual consent. It is stated that the period of six months has come to an end on



06.11.2024. It is stated that the matter is at an advance stage and evidence has been concluded. The Petitioner has, therefore, approached this Court for extension of time for making the award.

3. 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.

4. In view of the fact that the matter is at the advance stage, this Court is inclined to extend the mandate of the Arbitral Tribunal till 06.11.2025 so that the Award can be pronounced and no further extension of time would be required by the Tribunal.

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

SUBRAMONIUM PRASAD, J

JANUARY 10, 2025

Rahul