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

+ O.M.P.(MISC.)(COMM.) 1008/2025

PARAMOUNT WIRES AND CABLES LTD.Petitioner

Through: Mr. Mayank Bughani, Adv.

versus

BHARAT SANCHAR NIGAM LIMITEDRespondent

Through: Ms. Leena Tuteja, Adv.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

12.12.2025

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1. The present petition under Section 29A of the Arbitration and Conciliation Act, 1996 (*hereinafter referred to as "A&C Act"*) has been filed by the Petitioner for extending the mandate of the Arbitral Tribunal.

2. The facts of the case as stated in the petition are that disputes arose between the parties under a Contract for supply of cables. It is the case of the Petitioner that the Petitioner supplied the cables to the Respondent and raised invoices for release of payment. It is stated that Petitioner approached the MSME Samadhan Portal seeking release of outstanding amounts and interest under the MSMED Act, 2006. It is stated that the reference filed by the Petitioner was referred to Micro and Small Enterprise Facilitation Council (MSEFC), Delhi. It is stated that since the dispute could not be resolved, the matter was then referred by MSEFC to Delhi International Arbitration Centre (DIAC). The Petitioner filed its Statement of Claim



before the DIAC and the Arbitrator proceeded ahead with the proceedings under the A&C Act.

3. It is stated by the learned Counsel for the Petitioner that final arguments stand concluded and the matter has been reserved for pronouncement of Award.

4. Ms. Leena Tuteja, learned Counsel, appears on advance notice on behalf of the Respondent. It is stated by the learned Counsel for the Respondent that the very reference to MSEFC is under challenge and according to the Respondent, the Petitioner is not an Small Enterprise within the four corners of the MSMED Act, 2006. It is stated that a writ petition has also been filed for a direction to investigate the issue as to whether the Petitioner is a Small Enterprise or not. It is stated that an investigation is also pending before the District Authorities on the said issue.

5. In the opinion of this Court, all the above issues raised by the learned Counsel for the Petitioner has to be decided in an appropriate petition under Section 16 of the A&C Act and not in a petition filed under Section 29A of the A&C Act which provides for extension of mandate. Section 29A(5) of the A&C Act reads as under:

“29A(5) The extension of period referred to in sub-section (4) may be on the application of any of the parties and may be granted only for sufficient cause and on such terms and conditions as may be imposed by the Court.”

6. In the opinion of this Court, since the final arguments already stand concluded and the matter has been reserved for pronouncement of Award,



this Court does not find any reason as to why the mandate of the Arbitral Tribunal should not be extended. The mandate of the Arbitral Tribunal expired on 30.11.2025.

7. 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.

8. Resultantly, this Court is inclined to regularize the period from 30.11.2025 till today and extend the mandate of the Arbitral Tribunal till 31.08.2026, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

DECEMBER 12, 2025

S. Zakir