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

+ **O.M.P.(MISC.)(COMM.) 27/2025**

AFCONS INFRASTRUCTURE LIMITED

.....Petitioner

Through: Mr. Abhishek Birthray and Mr. Nikhil
Sharma, Advocates.

versus

IRCON INTERNATIONAL LIMITED

.....Respondent

Through: Mr. Mohit Goel, Mr. Sidhant Goel
and Mr. Karmanya Dev Sharma,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **13.01.2025**

I.A. 623/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 27/2025

1. This Petition under Section 29A(4) 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 two Arbitrators were appointed by this Court on 01.11.2022 in a petition being ARB. P. 891/2022 filed by the Petitioner to adjudicate upon the disputes between the parties. It is stated that the two appointed Arbitrators then appointed a Presiding Arbitrator on 08.12.2022 and the Arbitral Tribunal stood constituted. The mandate of the Arbitral Tribunal has expired on 09.01.2025.
3. It is stated that the arbitration proceedings are at the stage of final



arguments.

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 facts of the present case, this Court is inclined to extend the mandate of the Arbitral Tribunal for a period of nine months from 09.01.2025, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

JANUARY 13, 2025

S. Zakir