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

+ **O.M.P.(MISC.)(COMM.) 34/2025**

MOBILE TECHNOLOGY

.....Petitioner

Through: Mr. Chaitanya Parihar and Mr. Tushar
Mudgil, Advs.

versus

APPLE INDIA PRIVATE LIMITED

.....Respondent

Through: Ms. Riddima Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

15.01.2025

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I.A. 831/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 34/2025 & I.A. 832/2025

1. This Petition under Section 29A(5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner for extending the mandate of the Sole Arbitrator.
2. Material on record indicates that the Sole Arbitrator was appointed by this Court on 02.03.2022 in a petition being ARB. P. 255/2022 filed by the Petitioner to adjudicate upon the disputes between the parties. It is stated that the last of the mandate of the Arbitrator was extended by this Court vide Order dated 20.05.2024 for a period up to 31.12.2024. The mandate of the Arbitrator has expired on 31.12.2024.
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 Sole Arbitrator for a period of nine months from today, so that the award can be pronounced.

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

SUBRAMONIUM PRASAD, J

JANUARY 15, 2025

S. Zakir