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

+ **O.M.P.(MISC.)(COMM.) 1020/2025**

M/S GARG SONS ESTATE PROMOTERS PVT. LTD.Petitioner

Through: Mr. Aditya Dhawan, Mrs. Kiran
Dhawan, Mr. Saurabh Duggal and
Mr. Anirudh Negi, Advs.

versus

**NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD.Respondent**

Through: Ms. Ruchira Gupta and Ms. Pooja
Tripathi, Advs.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **16.12.2025**

I.A. 31409/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 1020/2025

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 seeking extension of mandate of the Arbitrator for making the arbitral award.
2. Material on record indicates that the learned Sole Arbitrator was appointed by this Court on 27.10.2022. It is stated that the pleadings in the arbitration proceedings were completed on 09.02.2024 and the mandate of the learned Arbitrator was extended for a period of six months by mutual consent of the parties. The mandate of the learned Arbitrator was extended from time to time and last of such extension was granted by this Court *vide* Order dated 22.08.2025 in OMP(MISC)(COMM) 561/2025.
3. It is stated that since the mandate of the Arbitral Tribunal for making



the award has come to an end on 21.10.2025, the Petitioner has approached this Court for extension of time for making the award.

4. Learned Counsel for the Respondent states that the Respondent does not have any objection to the extension of mandate.

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. The list of dates indicates that the award has been reserved in October, 2024 and the same has yet not been pronounced though a few clarificatory sessions have been conducted by the Arbitrator.

7. The Apex Court in a catena of judgments has categorically stated that there should not be delay in pronouncement of the award once the same is reserved. However, in the interest of justice, since substantial time and money has been spent in the arbitration proceedings and which have been concluded, and the award has been reserved for pronouncement, as a last opportunity, the mandate of the Arbitrator is extended till 30.04.2026 to enable the learned Arbitrator to pronounce the Award.

8. The petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

DECEMBER 16, 2025

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