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

+ O.M.P.(MISC.)(COMM.) 1031/2025 & I.A. 31663/2025

NAYATI HEALTHCARE AND RESEARCH NCR PRIVATE
LIMITEDPetitioner

Through: Mr. Rajat Joneja and Mr. Anmol
Kumar, Advs.

versus

VIDYA SAGAR KAUSHALYA DEVI MEMORIAL HEALTH
CENTRERespondent

Through: Mr. Adarsh Chamoli, Adv.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

17.12.2025

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1. The present petition under Section 29A (5) of the Arbitration and Conciliation Act, 1996 has been filed by the Petitioner seeking extension of the mandate of the learned Sole Arbitrator.
2. Material on record indicates that the parties, by mutual consent, appointed Justice Badar Durrez Ahmed, former Chief Justice of Jammu and Kashmir High Court as the learned Sole Arbitrator to adjudicate the disputes between the parties arising out of the concerned agreements, addendums, Letters of Comfort and Common Expenses Sharing Agreement.
3. Material on record indicates that the pleadings in the arbitration proceedings were completed on 07.02.2024 and thereafter, the parties by mutual consent extended the mandate of the learned Sole Arbitrator for a period of six months which has come to an end on 07.08.2025. It is stated



that since the mandate of the learned Sole Arbitrator has expired, the present petition has been filed seeking extension of mandate of the learned Sole Arbitrator.

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

5. Further, it is stated by learned Counsel for both the parties, in unison, that the matter stands settled and only an award needs to be passed on the basis of the settlement entered into between the parties.

6. 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.

7. In view of the fact that only an award needs to be passed on the basis of the settlement entered into between the parties, this Court is inclined to extend the mandate of the learned Sole Arbitrator for a period of three months from today, so that the award can be pronounced. Further, the period from 07.08.2025 till today is regularized.

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

SUBRAMONIUM PRASAD, J

DECEMBER 17, 2025

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