



\$~69

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

+ **O.M.P.(MISC.)(COMM.) 78/2025**

**M/S ASCENT CONSTRUCTION PVT LTD THROUGH ITS
ADDITIONAL VICE PRESIDENT**Petitioner

Through: **Mr. Bharti Tyagi and Mr. Vikash
Kumar, Advs.**

versus

M/S LOGIX HEIGHTS PVT LTD THROUGH ITS DIRECTOR

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

27.01.2025

%

I.A. 2085/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(MISC.)(COMM.) 78/2025 & I.A. 2086/2025

1. This is a petition under Section 29A (4) & (5) of the Arbitration & Conciliation Act, 1996 seeking extension of mandate of the Arbitral Tribunal for making the arbitral award.

2. Material on record indicates that disputes arose between the parties under the Contract Agreement dated 28.01.2015 and arbitration proceedings were initiated by the Petitioner.

3. It is stated that *vide* Order dated 23.12.2019, an Arbitrator was appointed by this Court to adjudicate upon the disputes between the parties. It is stated that the mandate of the Tribunal was extended from time to time



and the mandate of the Tribunal was last extended on 22.01.2024 for a period of one year from 01.12.2023 to 30.11.2024.

4. It is stated that since mandate of the Arbitral Tribunal for making the award has come to an end on 30.11.2024, the Petitioner has approached this Court for extension of time for making the award. It is stated by the learned Counsel for the Petitioner that additional time of at least one year would be required for making the Arbitral Award.

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. In view of the fact that the matter is at the stage of stage of final arguments, this Court is inclined to extend the mandate of the Arbitral Tribunal for a period of six months from today so that the Award can be pronounced and no further extension of time would be required by the Tribunal. Further, the period from 30.11.2024 till today is regularised.

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

SUBRAMONIUM PRASAD, J

JANUARY 27, 2025

hsk