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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(MISC.)(COMM.) 131/2025, I.A. 3341/2025
M/S.UNITY-TRIVENI-BCPL (JV)Petitioner

Through: Mr. Manoj Kumar, Advocate

versus

RAIL VIKAS NIGAM LTDRespondent
Through: Mr. Saurabh Mishra, Ms. Aashnaa
Bhatia, Mr. Shrimay Mishra,
Advocates

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

17.02.2025

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1. This is a petition under Section 29A (5) of the Arbitration & Conciliation Act for extension of mandate of the Arbitral Tribunal to adjudicate upon the disputes between the parties and pass the award.
2. Material on record discloses that disputes arose between the parties under the contract entered into between the parties for construction of road bed, major & minor bridges, tunnel, track linking (excluding supply of rails, thick wren switches and line PSC sleepers) and OHE & general electrical work in connection with construction of 3rd line between Goilkera-Posoita-Manoharpur (15.9 km) on Chakradharpur division of South Eastern Railway in the State of Jharkhand.
3. It is stated that an Arbitral Tribunal was constituted and the first meeting of the Arbitral Tribunal was held on 14.03.2023. Pleadings have



been completed on 19.06.2023 and the period of one year has therefore come to an end on 19.06.2024. It is stated that the parties mutually extended the mandate of the Arbitral Tribunal for a period of six months. It is stated that the mandate of the Arbitral Tribunal has come to an end on 05.01.2025.

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. Learned Counsel for the Respondent states that the Respondent has no objection to the extension of mandate of the Arbitral Tribunal.

6. In view of the fact that the matter is at the final stage, this Court is inclined to extend the mandate of the Arbitral Tribunal upto 31.12.2025 to enable the Arbitral Tribunal to proceed further and pass the award. Further, the period from 05.01.2025 till today is regularized.

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

SUBRAMONIUM PRASAD, J

FEBRUARY 17, 2025

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