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

+ O.M.P.(MISC.)(COMM.) 13/2026 & I.A. 37/2026

M/S SIERRA APPLIANCES PVT LTDPetitioner

Through: Mr. Amardeep Singh, Adv.

versus

M/S STELLAR CONSTELLATION PROJECT PVT
LTD

.....Respondent

Through: Mr. Ajit Kumar Singh & Ms. Laxmi
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

% **30.03.2026**

1. This petition is filed under Section 29A of the Arbitration and Conciliation Act, 1996 seeking extension of period for concluding the arbitration proceedings.
2. This Court vide order dated 11.07.2022 appointed Sh. G P Thareja, Additional District Judge (Retd.) as the sole arbitrator. The issues were framed on 23.03.2023 and thereafter the matter was fixed for recording of evidence. Sh. G. P. Thareja, the sole arbitrator appointed passed away on 07.09.2023. This Court vide order dated 12.08.2024 appointed Mr. Abhishek Jaju as the sole arbitrator and extended the period for six months from the date the new arbitrator entered into reference i.e. 21.09.2024. The claimant's evidence is closed. The respondent has filed examination-in-chief by way of affidavit. On 27.03.2025, respondent's witness was partly cross-examined and the matter was adjourned by the arbitrator observing that the learned



counsel for the parties should approach the High Court for extension of time.

3. Learned counsel for the respondent contends that the arbitrator made no effort to expedite the proceedings despite the extension given by this Court and there is no plausible explanation for extending the mandate. The extension of mandate is not a matter of right.

4. The Supreme Court in **Rohan Builders (India) Private Limited v. Berger Paints India Limited 2024 INSC 686** held as under:-

“19. In view of the above discussion, we hold 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. The court while adjudicating such extension applications will be guided by the principle of sufficient cause and our observations in paragraph 15 of the judgment.”

5. Considering the facts and circumstances in totality and especially that the first arbitrator expired during the pendency, this petition is allowed and the mandate is extended for a period of eight months from today. The intervening period is regularized.

AVNEESH JHINGAN, J

MARCH 30, 2026

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