

ORDER SHEET

AP 243 of 2020
IA No. GA 1/2020 (Old No. GA 1243/2020)

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

HANUMANDASS RAJKUMAR PVT LTD
Versus
TRILOK KUMAR JHA

BEFORE:

The Hon'ble JUSTICE ASHIS KUMAR CHAKRABORTY

Date : 29th September, 2020.

[Via video conference]

Appearance:
Mr. Reetobroto Mitra, Adv.
For the petitioner...
Mr. Raghunath Ghosh, Adv.
For the respondent....

The Court : In this application under Section 29 of the Arbitration and Conciliation Act, the petitioner, being the claimant, prays for an order extending the time to make and publish the award by the sole arbitrator. From the records it appears that although the parties have filed their respective pleadings before the arbitrator but subsequently it is the respondent who has obtained repeated adjournment of the arbitral proceeding. This has prevented the arbitrator to make any progress in the arbitral proceeding. A copy of the

application has been served upon the respondent. Although a prayer has been made on behalf of the respondent for adjournment of hearing of this application, but from the records it is evident that the respondent is the person responsible for the delay in conclusion of the arbitral proceeding. Thus, I am not inclined to entertain the prayer of the respondent for adjournment of hearing of this application.

Considering the facts of the case, time for making and publishing the award by the arbitrator is extended till the month of April, 2021.

The above time for making and publishing the award is peremptory. It is made clear that if necessary the arbitral proceeding shall be held on virtual mode and on day to day basis. None of the parties shall pray for adjournment of hearing of the arbitral proceeding.

With the above directions IA No. GA 1/2020 (Old No. GA 1243/2020) and AP No. 243 of 2020 are disposed of.

(ASHIS KUMAR CHAKRABORTY, J.)