

ORDER SHEET

AP/187/2021

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

MBL INFRASTRUCTURES LIMITED
Versus
WEST BENGAL HIGHWAY DEVELOPMENT CORPORATION LIMITED

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 28th June, 2021.

[Via Video Conference]

Appearance:
Mr. Shaunak Mitra, Adv.

The Court : Although learned Counsel submits that the respondent has been served there is no affidavit of service on record.

This is an application for extension of time for publishing the Award of the learned Arbitral Tribunal under Section 29A of The Arbitration and Conciliation Act, 1996.

Learned Counsel places an order passed by a co-ordinate Bench on 4th September, 2020 in an application filed by the petitioner for extension of time under Section 29A of the Act. By the said order, the learned Judge extended the time till the month of May, 2021 on a peremptory basis. Counsel relies on an order of the Supreme Court dated 8th March, 2021 by which the period from 15th March, 2020 till 14th March, 2021 stood excluded

for the purpose of computing the period prescribed also under Section 29A of the Act.

The aforesaid order was taken into account by the Tribunal which calculated the period for the purpose of limitation under Section 29A of the Act and directed that the tenure stood extended upto 9th December, 2021. The order of the Tribunal was passed in the presence of both the parties.

Upon considering the order passed by the Supreme Court on 8th March, 2021 which specifically applies the effect of such order to applications under Section 29A of the Act and the fact that the Tribunal relied on the said order, the time for publishing the Award is extended till 9th December, 2021. Needless to say, this shall be treated as the last and final extension of the mandate of the Tribunal to publish the Award under Section 29A of the Act.

AP/187/2021 is disposed of in terms of the above.

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(MOUSHUMI BHATTACHARYA, J.)