

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.19260 of 2022
(Through hybrid mode)**

M/S. KCS Pvt. Ltd., Rourkela

Petitioner

Mr. S. K. Ray, Advocate

-versus-

MECON Ltd. Jharkhand

Opposite Party

CORAM: JUSTICE ARINDAM SINHA

ORDER

05.09.2022

Order No.

- 01.** 1. Mr. Ray, learned advocate, appears on behalf of petitioner and submits, his client has sought judicial review over order dated 9th May, 2022 passed by the Distinct Judge, Sundargarh in Arbitration Petition no.04 of 2021, rejecting his client's application under section 29-A in Arbitration and Conciliation Act, 1996 for extension of the mandate.
2. He submits, only ground for rejection would appear from paragraph 7 in impugned order. It is that earlier, extension of time was obtained by application made to this Court. Consequential prayer is for extension of the mandate.
3. Section 42 clearly provides that where with respect to an arbitration agreement any application under part-I has been made to a Court, that Court alone shall have jurisdiction over the arbitral proceedings and of subsequent applications. As such, there can be no interference with impugned order. Consequent prayer, therefore, cannot also be granted in judicial review.

4. Petitioner is at liberty to duly apply for extension of the mandate.

With this observation, the writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant

