

AP 397 of 2023
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

ELECTROSTEEL CASTING LTD.
VERSUS
THE GENERAL MANAGER, SOUTH EASTERN RAILWAY AND ANR.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date: 13th July, 2023.

APPEARANCE:

Mr. Mainak Bose,Adv.
Mr. Rajesh Gupta,Adv.
Mr. Sachin Shukla,Adv.
...for the petitioner.

Mr. Sanajit Ghosh,Adv.
Mr. Rivu Dutt,Adv.
Mr. Rhitam Chatterjee,Adv.
...for respondent.

The Court:- The petitioner seeks extension of Arbitrator's mandate under Section 29-A(4) of the 1996 Act. The admitted fact is that a learned Single Judge of this Court passed an order in an earlier application made under the same provision whereby the Arbitrator's mandate was extended for a period of six months from the date of the order which was 3rd January, 2023. The mandate was hence till 3rd July, 2023. The present application was filed within the extended time period on 27th June, 2023.

Learned counsel appearing for the respondent does not oppose to the extension.

Since the respondent is not resisting extension of the Arbitrator's mandate and the arbitration is also at an advanced stage, namely at the stage of arguments, this Court is inclined to grant extension of the Arbitrator's mandate but for the last and final time.

AP 397 of 2023 is, accordingly, allowed and disposed of by extending the Arbitrator's mandate for a period of four months from today. It is expected that the parties will schedule their arguments in accordance with this order so as to enable the learned Arbitrator to make the award within the extended timeframe. The respondent shall conclude their arguments by 28th July, 2023.

(MOUSHUMI BHATTACHARYA, J.)