

ORDER SHEET

AP/406/2023

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

SRIJAN REALTY PRIVATE LIMITED
Versus
SUNEEL SWAIKA AND ANR.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : July 4, 2023.

Appearance:

Mr. Rupak Ghosh, Adv.

Ms. Pritha Ghose, Adv.

Ms. Shusna Santra, Adv.

...for the applicant

Mr. Ratnesh Kr. Rai, Adv.

Mr. Ankan Rai, Adv.

...for the respondent no. 1

Mr. Sanwal Tibrewal, Adv.

...for the respondent no. 2

The Court: The petitioner seeks extension of the mandate of the learned Arbitral Tribunal for a further period of six months from 10th June, 2023.

The admitted facts, as would appear from the records of the submissions of learned counsel appearing for the parties, are that the one-year under Section 29-A(1) of the 1996 Act expired on 17th November, 2022 and the additional period of six months contemplated under Section 29-A(3) expired on

16th May, 2023. The petitioner makes the application for extension under Section 29-A(4) on 21st June, 2022.

The parties before this Court are *ad idem* on the point of extension of the Arbitrator's mandate to make the Award as provided under Section 29-A(1). The aforesaid clause contemplates agreement between the parties.

In this case, the respondents are both represented and concur with the prayer of the petitioner. The six-months extension was already taken by the parties which further shows the agreement between the parties in that respect.

It is further submitted that the procedure is near-completion as the petitioner (claimant) in the Arbitration has concluded its submissions. The respondent no. 1 has already started his submissions and the respondent no. 2 will commence his arguments shortly.

AP/406/2023 is accordingly allowed and disposed of by extending the mandate of the Arbitrator by three months from today.

(MOUSHUMI BHATTACHARYA, J.)

sg.