

ORDER SHEET

AP/479/2023

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(COMMERCIAL DIVISION)

COMPLEMENT BLENDS PRIVATE LIMITED
Versus
AI CHAMPDANY INDUSTRIES LIMITED

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 25th July, 2023.

Appearance:

Mr. Suman Dutt, Adv.
Mr. Yashvardhan Kochar, Adv.
Mr. Sumanta Biswas, Adv.
Mr. Bikash Shaw, Adv.
...for the petitioner

Ms. Noelle Banerjee, Adv.
Ms. Pritha Basu, Adv.
Mr. Debartha Chakraborty, Adv.
Ms. N. Ghosh, Adv.
...for the respondent

The Court: This is an application for extension of the learned Arbitrator's mandate under Section 29-A(4) of the 1996 Act.

According to learned counsel appearing for the parties, the one year under Section 29-A(1) expired on 4th December, 2022 after factoring in the exemption from the periods of limitation in the general and special Laws given by the Supreme Court in the *suo motu* writ petition by the order dated 23rd March, 2020 which was to be given effect from 15th March, 2020. The period of relaxation ended on 28th February, 2022. The petitioner hence adds 87 days before 15th March, 2023 and the remaining of the 1 year period under section 29-A(1) after

28th February, 2022 to say that the mandate expired under section 29-A(1) on 4th December, 2022.

The additional six months under Section 29-A(3) expired on 4th June, 2023. The parties however realised this fact in the sitting held on 13th June, 2023.

Learned counsel appearing for the respondent does not oppose the extension of the mandate as prayed for.

The Court is informed that the petitioner/claimant has commenced arguments and will need another three sittings to complete the arguments. The respondent will commence the arguments thereafter.

Since parties are ad idem on the prayer for extension of the Arbitrator's mandate and the arbitration has advanced to a stage near completion, AP/479/2023 is accordingly allowed and disposed of by extending the mandate for a period of four months from today.

(MOUSHUMI BHATTACHARYA, J.)