

OCD-7

ORDER SHEET

AP/711/2023

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

ANJANA BORA
VS
BANI PRASAD SAHA

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 12th October, 2023.

Appearance:

Mr. Jishnu Chowdhury, Adv.

Mr. Aritra Basu, Adv.

Mr. Niladri Bhattacharjee, Adv.

Ms. Pallavi Gogoi, Adv.

Ms. Priyanka Kundu, Adv.

Ms. Angana Dutta, Adv.

...for the petitioner

Mr. Shiv Sankar Banerjee, Adv.

..for the respondent

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

The parties agree that the mandate will terminate on 23rd October, 2023.

The Court has been given to understand that there may be a dispute between the parties as to whether arguments have concluded or not before the learned Arbitrator.

Learned counsel appearing for the respondent insists that the learned Arbitrator was to make the Award within subsistence of the mandate and hence argues that there is no requirement for any further extension.

Whatever may be the dispute between the parties with regard to conclusion of arguments or making of the Award, Section 29A(1) of the Act is only concerned with extension or refusal of the Arbitrator's mandate subject to timelines contained therein.

In the present case, the mandate is to end on 23rd October, 2023 and this is the first application for extension, AP/711/2023 is accordingly allowed and disposed of by extending the mandate for one month from 23rd October, 2023.

(MOUSHUMI BHATTACHARYA, J.)

bp.