

02 17.12.2024

Ct-37

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In the High Court at Calcutta
Civil Appellate Jurisdiction
Commercial Division

FMAT 302 of 2024
with
IA No. CAN 2 of 2024

Kalakari Healthcare LLP & Ors.
Vs.
Dr. Atindriya Biswas

Mr. Rishabh Karnani
Mr. Lakshminath Bhattacharya
... For the Appellant

Mr. Shaunak Mitra
Mr. Ranit Ray
Mr. Nikhil Kumar Dutt
... For the Respondent

Re: CAN 2 of 2024

1. In view of the apprehension expressed by the parties and also the arbitrator that the mandate of the arbitrator might come to an end on 31st December, 2024 in view of the order dated 27th August, 2024 this application has been filed.
2. The coordinate bench was aware of the fact that under the new Act no such timeline is usually permitted by the Court and it is left to the discretion of the arbitrator. The coordinate bench used the word “endeavour” in the order dated 27th August, 2024, which only means at the highest preferably.
3. Under such circumstances, we dispose of this application being CAN 2 of 2024 in terms of prayer (b) and the arbitrator shall permit to

frame a timeline under Section 29A of the Arbitration and Conciliation Act, 1996.

4. However, there shall be no order as to costs.
5. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Soumen Sen, J.)

(Biswaroop Chowdhury, J.)