

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE
(COMMERCIAL DIVISION)

AP-COM/72 OF 2024
IN THE MATTER OF:
SATNAM GLOBAL INFRAPROJECTS LIMITED
VS
BHARAT HEAVY ELECTRICALS LIMITED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 25th January, 2024.

Appearance:

Mr. Priyankar Saha, Adv.

Mr. Soumabho Ghose, Adv.

Mr. Omar Ahmad, Adv.

Mr. Vikram Shah, Adv.

Mr. Hemant Tiwari, Adv.

Mr. Tuhin Dey, Adv.

Mr. Simran Khorana, Adv.(VC)

For petitioner

Mr. Rohit Das, Adv.

Mr. Aniruddha Bhattacharya, Adv.

Mr. K. Rahman, Adv.

Mr. Divya Jyoti Tekriwal, Adv.

Mr. A.Roy, Adv.

For respondent

The Court : Affidavit of service filed in Court today is taken on record.

This is an application for extension of the mandate of the learned Arbitrator which expires on 31st March, 2024 in order to complete the arbitral proceedings. The pleadings in the instant case have been completed on 30th September, 2022 and, as such, under the provisions of Section 29A of the Arbitration and Conciliation Act, 1996, the arbitral award ought to have been published within twelve months from such date. The arbitral proceedings could not be concluded and the award could not also be published within such time

period. The claimant, as such approached this Court for extension of mandate of the learned Arbitrator by filing AP 716 of 2023. The said application was allowed by granting extension of the arbitral mandate by six months time period. The parties say that the arbitral award is not likely to be passed prior to expiry of the six months extended time period.

The arbitral proceedings as submitted by the parties is in the final argument stage and an extension of the mandate by a further period of six months will enable the conclusion of the arbitral proceedings and publication of the award. Although, this is the second extension sought for, and the way and manner in which the parties conducted the hearing is not satisfactory, yet considering the fact that the arbitral proceedings is in the final stage of argument and refusal of extension of time at this stage would put the parties into inconvenience as also lead to additional legal expenses, the mandate of the Arbitrator is extended for a further period of six months from 1st April, 2024. It is expected that the proceedings be concluded within such extended time period.

Nothing further remains to be adjudicated in this application.

The application is accordingly disposed of.

(ARINDAM MUKHERJEE, J.)

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