

IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ORIGINAL SIDE

AP/73/2024  
STEEL AUTHORITY OF INDIA LIMITED  
VS  
KAMLESH KUMAR SINGH

BEFORE:  
The Hon'ble JUSTICE SHAMPA SARKAR  
Date: 11<sup>th</sup> December, 2024

Appearance:  
Mr. Arijit Basu, Adv.  
...for the petitioner.  
Ms. Amrita Pandey, Adv.  
...for the respondent.

The Court: This is an application for extension of time to enable the learned Arbitrator to make and publish the award. The mandate of the arbitrator has expired sometime in March, 2024. Petitioner prays for extension on the ground that the proceeding is in at an advanced stage.

Ms. Pandey, learned Advocate for the respondent submits that the Court should appoint a substitute arbitrator on the ground that the arbitrator is an ex employee of the claimant and he is likely to be biased. The learned arbitrator had given too many adjournments to the claimant, which has caused irreparable loss to the respondent.

In the present case, the petitioner invoked the arbitration clause in the agreement mentioned and gave a choice of the 3 arbitrators to the respondent, which the respondent expressly agreed to in writing. Thus, the question of appointing a

substitute arbitrator at the instance of the respondent when the claimant is before the Court seeking extension of mandate is not permissible. No such application has been filed by the respondent. However, the court notices that there has been some delay because of adjournments having been prayed for by the claimant.

This Court extends the time for the learned Arbitrator to make and publish his award by a further period of one year from the date of communication of this order upon him. The parties are directed to cooperate and shall not seek unnecessary adjournment.

AP/73/2024 stands disposed of accordingly.

(SHAMPA SARKAR, J.)