

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

AP-COM/912/2024
BLUE STAR LIMITED
-VS
SHRIRAM EPC LIMITED

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: November 11, 2024.

Mr. A. Guha, Adv.; Ms. S. Agarwal, Adv.; Ms. Saha, Adv. appear.
Ms. S. Das, Adv., appears.

The Court: This is an application under section 29A(4) of the Arbitration and Conciliation Act, 1996.

The petitioner prays for extension of the mandate of the learned Arbitrator.

It is submitted that the mandate of the learned Arbitrator has terminated on November 9, 2024. It is specifically contended that the claimant has concluded the argument but the respondent has failed to complete its part of the argument within a reasonable time.

The allegation against the respondent is that the respondent has not cooperated with the learned Arbitrator during the proceeding.

Learned Advocate for the respondent denies such allegation and submits that an affidavit is required to be filed in this matter.

Considering the fact that the arbitration proceeding is on the verge of completion, the allegations levelled against the respondent are irrelevant in the present context as justice would be subserved if the mandate of the learned Arbitrator is extended by a

further period of six months, to enable the learned Arbitrator to conclude the proceeding and make and publish the award.

As no affidavit-in-opposition has been called for, the allegations against the respondent are deemed to have been denied by it.

However, this Court makes it clear that the parties shall cooperate with the learned Arbitrator and the proceeding shall be completed within the time to be extended by this Court.

Accordingly, to enable the learned Arbitrator to make and publish the award, the time is extended by a further period of six months from the date of communication of this order to the learned Arbitrator.

With the above directions, the application stands disposed of.

All parties shall act on a server copy of this order.

(SHAMPA SARKAR, J.)

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