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

AP-COM/364/2025
GOLAM KIBRIA
VS
ITI LIMITED

BEFORE :
HON'BLE JUSTICE SHAMPA SARKAR
DATE : 15th May, 2025.

Mr. Subhankar Nag, Adv.
Mr. Tanweer J. Mandal, Adv.
Ms. Somashree Dey, Adv....for petitioner.

Mr. Emon Bhattacharya, Adv. ...for respondent.

The Court :- This is an application for extension of the mandate of the learned Arbitrator.

This court has the jurisdiction to entertain this application.

The petitioner submits that the proceedings are at a matured stage and witness action is over. An expert engineer has been appointed, who is yet to be examined by the respondent. Mr. Nag refers to the minutes of the meeting to indicate that the Statement of Claim was filed, as directed by the learned Arbitrator and the Statement of Defence was served upon the claimant on 18.10.2023. Rejoinder thereto was also filed by the claimant in response to the Statement of Defence.

According to Mr.Nag the parties proceeded with due diligence.

Learned advocate appearing for the respondent submits that the pleadings in the application before this court would indicate that provision of

section 23(4) of the Arbitration and Conciliation Act, 1996 had not been complied with.

Upon perusal of the minutes of the meeting, this court finds that such submission is incorrect. However, a typographical error as to the date of completion of the pleadings has cropped up.

The third sitting held on 30.11.2023, records completion of pleadings.

It is an admitted fact that the parties continued to appear before the learned Arbitrator and adduced evidence. The matter is near completion.

Under such circumstances, this court deems it fit to extend the mandate of the learned Arbitrator for a further period of eight months from the date of communication of this order, within which time the learned Arbitrator shall make and publish the award.

This order shall be communicated to the respondent.

The application, AP-COM/364/2025 is disposed of accordingly.

(SHAMPA SARKAR, J.)