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IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

AP/176/2025
SMT BHARATI OJHA
VS
SIMPLEX INFRASTRUCTURES LIMITED

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 13th November, 2025.

APPEARANCE:

Mr. Bikash Shaw, Adv.

Mr. Sk Saad Islam, Adv.

...for the petitioner.

Mr. Aurin Chakraborty, Adv.

Mr. Adipta Kumar Pundit, Adv.

..for the respondent.

The Court:- The petitioner has filed the present application under Section 29A of the Arbitration and Conciliation Act, 1996, seeking extension of the time period for conclusion of the arbitral proceedings and publication of the award.

Learned counsel for the petitioner states that this Court vide order dated 13.09.2023 had appointed a sole arbitrator to adjudicate the dispute between the parties. Pleadings were completed on 24.02.2024. With the consent of both the parties, mandate of the arbitral tribunal was extended for a period of six months. Extension was granted. The mandate of the learned sole arbitrator has expired on 23.08.2025.

It is submitted by the learned counsel for the petitioner that the proceedings are at the stage of evidence, and therefore, he prays for extension for a further period of one year to conclude arbitral proceedings and publication of the award.

Learned counsel for the respondent has raised a technical objection that the present application is not maintainable since it has been sworn before a Notary Public and not before the Oath Commissioner. Be that as it may, apart from the said technical objection, the learned counsel for the respondent, in principle, does not object to the extension of time period.

Considering the fact that the arbitral proceedings are at the stage of evidence and that there are two arbitration proceedings, this Court deems it appropriate to extend the timeline for conclusion of the arbitration proceedings and publication of the award for a further period of one year from the date of expiry of the existing mandate. The learned arbitrator is requested to conclude the proceedings and publish the award within the extended timeframe.

With the aforesaid observation and direction, the present application is disposed of.

(GAURANG KANTH, J.)