

ORDER

OCD-4

IN THE HIGH COURT AT CALCUTTA  
COMMERCIAL DIVISION  
ORIGINAL SIDE

AP-COM/924/2025  
M/S COSMIC FERRO ALLOYS LIMITED  
VS  
M/S COSMIC CRF LIMITED

BEFORE  
HON'BLE JUSTICE GAURANG KANTH  
Date: December 08, 2025.

Appearance:-  
*Mr. Priyankar Saha, Adv.*  
*Ms. Aparajita Rao, Adv.*  
*Ms. Sutapa Mitra, Adv.*  
*...for petitioner.*  
  
*Mr. Ankita Sikdar, Adv.*  
*Ms. Akanksha Chopra, Adv.*  
*Ms. Srishti Rungta, Adv.*  
*Ms. Naina Kochar, Adv.*  
*...for respondent.*

The Court:- The present petition has been filed by the petitioner under Section 29(A) of the Arbitration and Conciliation Act, 1996, seeking extension of the mandate of the sole arbitral tribunal for conclusion of the proceedings and publication of the arbitral award.

This Court vide order dated 30.08.2023, appointed a sole arbitrator to adjudicate the dispute between the parties. The pleadings were completed on 10<sup>th</sup> May, 2024. By mutual consent, the mandate of the arbitral tribunal was extended for a period of six months which expired on 08.11.2025. During the arbitral proceedings, certain interim orders were passed by the arbitral tribunal which were challenged by the respondent before this Hon'ble Court. The order passed by this Hon'ble Court in the appeal filed by the respondent was carried

in appeal before the Hon'ble Supreme Court. Two separate Special Leave Petitions being nos. SLP No.5735 of 2024 and SLP No.7320 of 2024, were filed by the petitioner. Both SLPs were disposed of by an order dated 05.11.2024. Thereafter, the proceedings continued and the claimant's witnesses were cross examined in the various sittings held by the arbitral tribunal.

Learned counsel for the petitioner states that subsequently the claimant's witness fell seriously ill and was unable to appear before the arbitral tribunal. The matter is currently at the stage of evidence. Learned counsel for the petitioner, therefore, seeks an extension of one year to conclude the arbitral proceedings and for publication of the award.

Learned counsel for the respondent states that she has no objection to the extension of the mandate of the arbitral tribunal.

Upon consideration of the entire record, this Court is satisfied that there has been no undue or unwarranted delay on the part of the arbitrator in conducting the proceedings. Having regard to the advanced stage of the proceedings and in the interest of justice, the mandate of the arbitral tribunal is extended further for a period of one year from today. The learned sole arbitrator is requested to make all reasonable endeavours to conclude the proceedings and publish the award within the extended time period.

With the above direction, the present petition stands disposed of.

(GAURANG KANTH, J.)