

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
(Commercial Division)

AP-COM/983/2024

SPML INFRA LIMITED
VS
EAST INDIA UDYOG LTD.

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 9th December, 2025.

Appearance

Mr. Prithwish Ray Chowdhury, Adv.
...for the petitioner

Mr. Ishaan Saha, Adv.
Ms. Akansha Singhania, Adv.
...for the respondent

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

This Court vide order dated 29.04.2022 appointed the learned sole Arbitrator to adjudicate the dispute between the parties. The pleadings were completed on 17.04.2023. With the consent of the parties, the mandate of the arbitral tribunal was extended by six months till 16.10.2024.

It is contended by the learned Counsel for the petitioner that the matter is presently at the stage of evidence. The mandate of the arbitral tribunal expired on 16.10.2024.

Learned Counsel for the respondent submits that the petitioner has not taken any steps and has not been diligent in pursuing the arbitration

proceedings. He further states that the arbitration proceedings have been filed to scuttle the NCLT proceedings initiated by the respondent at Delhi. Learned Counsel for the respondent further states that the last hearing was conducted on 25.09.2024 and since then, the Tribunal has not held any sittings.

Learned Counsel for the petitioner states that the Tribunal will hold its sittings only after an extension has been granted by this Court. He further submits that an application for extension of the mandate of the Tribunal was filed on 29th November, 2024 and that the matter has been pending adjudication before this Court.

Be that as it may, this Court has considered the rival contention of the parties.

There have been 27 sittings conducted by the arbitral tribunal and the matter is at the evidence stage.

Upon consideration of the record and the submission made by the parties, this Court is satisfied that the mandate of the arbitral tribunal shall be extended for a period of nine months from today.

The learned sole Arbitrator is requested to make all reasonable endeavour to ensure that the arbitral proceedings are concluded and the award is published within the extended time period.

With the above observation, the present application is disposed of.

(GAURANG KANTH, J.)