

ORDER

OD-3

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

AP/19/2026

SRI DILIP HALDER AND ORS
VS
BALAJI CONSTRUCTION AND ORS

BEFORE
HON'BLE JUSTICE GAURANG KANTH
Date: January 28, 2026.

Appearance:-
Mr. Dhananjay Nayak, Adv.
Mr. Sourav Sarkar, Adv.
...for petitioner.

The Court:- Affidavit of service is taken on record.

Despite service, none appears on behalf of the respondents.

The petitioner has preferred the present petition under Section 29A 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.

Learned counsel for the petitioner states that this Court, vide order dated 16.03.2023, appointed a sole arbitrator to adjudicate the disputes between the parties. The pleadings were completed and the matter is at the stage of commencement of evidence. However, on 01.09.2024, the learned arbitrator recused himself from the arbitral proceedings. Hence, the petitioner approached this Court under Sections 14 and 16 of the Arbitration and

Conciliation Act, 1996 for appointment of a substitute arbitrator. This Court vide order dated 25.09.2024 appointed a substituted arbitrator.

Learned counsel for the petitioner submits that more than 17 sittings have already been held by the arbitral tribunal. Learned counsel for the petitioner states that the matter is now only listed for publication of the award and that the arbitral proceedings have already been concluded.

Upon consideration of the materials placed on record and the submissions made by the parties, this Court is satisfied that there has been no undue or unwarranted delay on the part of the learned sole 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 month to enable the publication of the award.

The learned arbitrator is requested to make all reasonable endeavours to conclude the proceedings and publish the arbitral award within the extended time period.

With the aforesaid directions, the present petition stands disposed of.

(GAURANG KANTH, J.)