

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/437/2026

CIVCON CONSTRUCTION PRIVATE LIMITED

VS

HINDUSTAN AERONAUTICS LIMITED

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 17th June, 2026.

Appearance:

Mr. Abhishek Banerjee, Adv.
Mr. Adipta Kumar Pandit, Adv.
...for the petitioner

Mr. B.K. Sen, Adv.
Mr. F. Ghaffar, Adv.
...for the respondent

The Court: The petitioner has preferred the present petition under Section 29A(4) 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 submits that this Court vide order dated 25.07.2023 had appointed the sole Arbitrator to adjudicate the disputes between the parties. The pleadings were completed on 11.12.2023. With the consent of the parties, the mandate of the arbitral tribunal was extended for a period of six months till 10.06.2025. Thereafter, this Court vide order dated 14.08.2025 extended the mandate of the arbitral tribunal for a further period of eight months i.e. till 13.04.2026. Learned Counsel for

the petitioner submits that the final arguments have already been concluded and that the award remains to be published.

Learned Counsel for the respondent states that the conduct of the petitioner has been highlighted by the learned sole Arbitrator in various orders, particularly in the proceedings of the 21st sitting vide order dated 06.04.2026 wherein the learned sole Arbitrator has noted the conduct of the petitioner in not finalising the notes of arguments as well as is not clearing the dues of the secretarial staff attached to the learned sole Arbitrator. Learned Counsel for the respondent further states that owing to the conduct of the petitioner, the learned sole Arbitrator has not been able to publish the award within the stipulated time.

Such conduct on the part of the petitioner is not appreciated by this Court.

Upon consideration of the submissions of both the parties and the materials placed on record, this Court is of the view that no undue or unwarranted delay can be attributed to the learned sole Arbitrator in conducting the arbitral proceedings. The delay, if any, is attributable to the conduct of the petitioner, which is hereby deprecated.

However, keeping in mind the advanced stage of the arbitral proceedings the only remaining step being the publication of the arbitral award and in the interest of justice, the mandate of the learned sole Arbitrator is extended further for a period of three months from today.

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

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

(GAURANG KANTH, J.)

R.Bhar