

ORDER

OC-10

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/969/2025

COSMIC MAPL JV

VS

AL-AMIN GARMENTS HAAT PRIVATE LIMITED

BEFORE

HON'BLE JUSTICE GAURANG KANTH

Date: January 05, 2026.

Appearance:-

Mr. Udit Agarwal, Adv.

...for petitioner.

Mr. Jishnu Chawdhury, Sr. Adv.

Mr. Abdul Murshid, Adv.

Mr. Gaurav Dutta, Adv.

Mr. A. Tarafdar, Adv.

...for respondent.

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

This Court vide order dated 23.03.2023, appointed the sole arbitrator to adjudicate the disputes between the parties. With the consent of the parties, the mandate of the arbitral tribunal was initially extended by a period of six months. Thereafter, upon an application being filed by the petitioner, the commercial Court at Rajarhat vide order dated 20th December, 2024, further extended the mandate of the arbitral tribunal by a period of nine months with effect from 08.01.2025. The extended mandate of the arbitral tribunal was due to expire on 08.10.2025. Prior to the expiry of the

mandate, the petitioner filed an application under Section 29A of the arbitration and Conciliation Act, 1996 before the Rajarhat Commercial Court seeking further extension of time. However, the said application was dismissed by the Court vide order dated 25th September, 2025 on the ground that the Commercial Court did not have jurisdiction to entertain application under Section 29A of the Act. Aggrieved by the impugned order dated 25.09.2025, the petitioner challenged the same under Article 227 of the Constitution of India. This Court vide order dated 5th December, 2025 dismissed the said petition holding that the Rajarhat Commercial Court had not committed any jurisdictional error. In view of the aforesaid, it is submitted that this Court alone has the jurisdiction to entertain the present application. Accordingly, the petitioner has preferred the present application seeking extension of the mandate of the arbitral tribunal further for a further period of one year with effect from 08.10.2025.

This Court notes that the learned sole arbitrator has conducted more than 62 sittings and has recorded the evidence of both parties. The matter is presently at the stage of final arguments of the petitioner.

Upon consideration of the materials on record, this Court is satisfied that there has been no undue and unwarranted delay on the part of the learned sole arbitrator to conclude the proceedings. Having regard to the advanced stage of the arbitral proceedings and in the interest of justice, the mandate of the arbitral tribunal is further extended for a period of one year from 08.10.2025. The learned sole arbitrator is requested to make all reasonable endeavours to conclude the arbitral proceedings and publish the award within the extended time period.

With the above observations, the present application stands disposed of.

(GAURANG KANTH, J.)

R. D. Barua