

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
Commercial Division
ORIGINAL SIDE

AP-COM/989/2025

SREI EQUIPMENT FINANCE LIMITED
VS
RAVI UDYOG PVT LTD AND ANR

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 5th January, 2026.

APPEARANCE:

Mr. Swatarup Banerjee, Adv.

Mr. Sariful Haque, Adv.

Mr. Rajib Mullick, Adv.

Ms. Sonia Mukherjee, Adv.

..for the petitioner.

Ms. Nilanjana Adhya, Adv.

Mr. Arindam Paul, Adv.

Ms. Debarati Das, Adv.

..for the respondent.

The Court:- The petitioner has preferred the present application 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.

This Court vide order dated 27.02.2024 had appointed the sole arbitrator to adjudicate the disputes between the parties. Thereafter, with the consent of the parties, the mandate of the arbitral tribunal was extended for a period of six months till 12.12.2025.

The matter is presently at the stage of recording the evidence. In view of the same, the petitioner has preferred the present application 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 respondents states that the order dated 17th April, 2025 passed by the learned tribunal has been challenged by the petitioner in CO/1946/2025 and that this Court vide order dated 12.06.2025 had granted an interim stay on the operation of the directions contained in paragraphs 21 and 22 of the impugned order passed by the arbitral tribunal till the end of August, 2025 or until further orders, whichever is earlier.

Learned counsel for the respondent further submits that the petitioner has not taken any steps to have the said revisional application adjudicated. She contends that she continues to suffer by reason of the subsisting order of stay and, in view thereof prays that the mandate of the arbitral tribunal ought not to be extended. She opposes the present application on the ground that the revisional application being CO/1946/2025 is still pending adjudication before this Court.

Per contra, learned counsel for the petitioner states that the pendency of the revisional application has no bearing on the extension of the mandate of the arbitral tribunal under Section 29A of the Arbitration and Conciliation Act, 1996. He further submits that if the respondent was aggrieved by the order dated 12.06.2025, passed in CO/1946/2025, she could have availed appropriate remedies in accordance with law. He further states that the respondent has not even filed any application seeking vacation of the order of stay granted in CO/1946/2025. He reiterates that the pendency of the said revisional application cannot operate as a bar to the extension of the

mandate of the arbitral tribunal under Section 29A of the Arbitration and Conciliation Act, 1996.

Upon consideration of the arguments advanced by the parties and the materials placed on record, this Court is of the considered view that the proceedings under Section 29A of the Arbitration and Conciliation Act, 1996 has no bearing on the outcome of CO/1946/2025, which is pending adjudication before this Court. Section 29A of the Arbitration and Conciliation Act, 1996 is a self contained provision governing the time frame for completion of arbitral proceedings and the extension of the mandate of the arbitral tribunal. The jurisdiction of the Court under Section 29A is confined to examining whether sufficient cause exists to extend the mandate in order to facilitate the effective adjudication of disputes through arbitration. The pendency of a collateral proceeding, including a revisional application challenging an interlocutory order of the arbitral tribunal, does not ipso facto fetter or circumscribe the Court's power to extend the mandate under Section 29A. The object of Section 29A being to ensure expeditious resolution of disputes, the provision cannot be construed in a manner that permits a party to defeat or delay arbitration solely on the ground of pendency of a revisional application, particularly when no steps have been taken either to have such proceedings adjudicated or to seek modification or vacation of the interim order.

This Court is satisfied that there has been no undue or unwarranted delay on the part of the arbitral tribunal in conducting the proceedings. It is noted that the arbitral tribunal has vigilantly pursued 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 for a further period

of six months from today. Learned sole arbitrator is requested to make all endeavours to conclude the arbitral proceedings and publish the arbitral award within the extended time period.

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

(GAURANG KANTH, J.)

Arsad