

ORDER

OCD-8

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/994/2025

BHAGWANDAS VEHICLE TEST SERVICES PVT. LTD. AND ANR.

VS

ALOKE KEDIA

BEFORE

HON'BLE JUSTICE GAURANG KANTH

Date: January 09, 2026.

Appearance:-

Ms. Debjani Sengupta, Adv.

Mr. Rajib Mullick, Adv.

Mr. Biswaroop Ghosh, Adv.

...for petitioners.

Mr. Sukanta Das, Adv.

Mr. Tutun Das, Adv.

Ms. Anulekha Bera Maiti, Adv.

...for respondent.

The Court:- Vakalatnama filed on behalf of the respondent is taken on record.

The present application has been filed by the petitioners 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.

Ms. Debjani Sengupta, learned counsel for the petitioners, submits that this Court vide order dated 13.04.2023 appointed Mr. Om Narayan Rai, Adv. (as his Lordship then was) as a sole arbitrator to adjudicate the disputes between the parties. The pleadings were completed on 09.08.2023. Though the petitioners consented to the extension of the mandate of the arbitral tribunal, the respondent objected thereto and consequently the mandate of the arbitral tribunal expired on 08.08.2024. It is further submitted that the learned sole arbitrator was thereafter elevated as a Judge of this Court. In view

thereof, this Court by the subsequent order dated 30th July, 2025 appointed a substitute sole arbitrator. The newly appointed sole arbitrator held the 1st sitting on 25.09.2025 and observed that since the mandate of the earlier tribunal had expired, extension of the mandate under Section 29A(4) of the Act was required in order to proceed further with the arbitral proceedings.

In the aforesaid circumstances, the petitioners have preferred the present application.

Learned counsel for the respondent states that the respondent has no objection to the extension of the mandate of the arbitral tribunal.

Upon consideration of the submissions of the parties and the materials placed on record, this Court is satisfied that there has been no undue or unwarranted delay on the part of the learned sole arbitrator in conducting the arbitral proceedings. The learned arbitral tribunal has been reconstituted by this Court and the proceedings are presently at the stage of evidence, requiring the tribunal proceed further. Having regard to the advance stage of the proceedings and in the interest of justice, the mandate of the learned sole arbitrator is extended for a further period of one year 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 above observations, the present application stands disposed of.

(GAURANG KANTH, J.)