

ORDER

OD-2

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

AP/216/2025

LARICA RESORTS PRIVATE LIMITED

VS

WEST BENGAL TOURISM DEVELOPMENT CORPORATION LIMITED

BEFORE

HON'BLE JUSTICE GAURANG KANTH

Date: January 07, 2026.

Appearance:-

Ms. Mousumi Bhowal, Adv.

Mr. Aman Gupta, Adv.

Mr. Ishan Bhattacharya, Adv.

...for petitioner.

Ms. Shrayashee Das, Adv.

Mr. Tridibesh Dasgupta, Adv.

Ms. Anukriti Agarwal, Adv.

Ms. Rashmi Dahiya, 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 conclusion of the arbitral proceedings and publication of the arbitral award.

This Court, by an order dated 11.12.2017, appointed Hon'ble Justice Shailendra Prasad Talukdar (Retired) as the learned Sole Arbitrator to adjudicate the disputes between the parties. Subsequently, by an order dated 07.12.2018, the learned Arbitrator terminated the arbitral proceedings in terms of Section 32(2)(c) of the Arbitration and Conciliation Act, 1996. Thereafter, the Petitioner preferred an application under Sections 14

and 15 of the said Act seeking appointment of a substitute Arbitrator, which was registered as A.P. No. 82 of 2019. Pursuant thereto, this Court, by an order dated 21.11.2019, appointed Hon'ble Justice Tapan Kumar Dutt (Retired) as the learned Sole Arbitrator to adjudicate the disputes between the parties.

Thereafter, with the consent of the parties, the mandate of the arbitral tribunal was extended by a period of six months. Subsequently, this Court vide orders dated 30.08.2023, 29.12.2023 and 23.12.2024, extended the mandate of the arbitral tribunal by a period of four months, one year and one year respectively.

It is stated by the learned counsel for the petitioner that the learned arbitrator has conducted 73 sittings and that the matter is presently at the stage of final arguments.

Learned counsel for the respondent states that the respondent has no objection to the said extension of the mandate of the arbitral tribunal for conclusion of the arbitral proceedings and publication of the arbitral award.

This Court notes that an aggregate extension of two years and four months has already been granted to the learned arbitrator for conclusion of the proceedings. It is further noted that the learned arbitrator has conducted more than 73 sittings and has recorded the evidence extensively. The matter is presently at the stage of final arguments.

Upon consideration of the submission and the material placed on record, this Court is satisfied that there has been no undue and unwarranted delay on the part of the learned sole arbitrator in conducting the arbitral proceedings. Having regard to the advanced stage of the

proceedings and in the interest of justice, the mandate of the learned sole arbitrator is extended for a further period of eight months from today. 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