

(2025) 10 MEG CK 1219
In the Meghalaya High Court
Case No : Arbitration Petition No. 7 Of 2025

BSCPL Infrastructure Limited

APPELLANT

Vs

Addl. Chief Engineer, P.W.D. (Roads) Western Zone,
Meghalaya-794001

RESPONDENT

Date of Decision : 07-10-2025

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 29A(4)

Citation : (2025) 10 MEG CK 1219

Hon'ble Judges : H. S. Thangkhiew, J

Bench : Single Bench

Advocate : K.Ch. Gautam, G.C. Marboh, A.S. Pandey, R. Colney, A.M. Pala

Final Decision : Allowed/ Disposed Of

Judgement

H. S. Thangkhiew, J

1. This application under Section 29A (4) of the Arbitration and Conciliation Act 1996, is a third application in the pending arbitral proceedings between the parties therein.

2. This Court in the first instance, by order dated 23.04.2024, in Arb. P. No. 2 of 2024, has extended the mandate of the Arbitral Tribunal for a period of 1(one) year w.e.f. 04.04.2024, and in the second instance, as the proceedings could not be completed, by order dated 28.03.2025, passed in Arb. P. No. 1 of 2025, had extended the term for further period of 6(six) months w.e.f. 04.04.2025.

3. By the instant application, it has been submitted that after the reconstitution of the Arbitral Tribunal, consequent on the expiry of the petitioner's nominee Arbitrator, Mr. Justice Devinder Gupta (Retd.), though the matter was listed for final rejoinder arguments, the same could not be concluded due to the voluminous records involved. As such, it has been prayed that an extension of the mandate of the Arbitral Tribunal be given for a further period of 6(six) months w.e.f. 05.10.2025, to enable conclusion of the final arguments and for

passing of the award.

4. The submissions of the petitioner are not refuted by the counsel for the respondent that the matter is at the stage of final rejoinder arguments and he has no objection if the prayer of the petitioner be allowed, but that the same should be the last extension.

5. Having heard the learned counsel for the parties, though this is the third application in the same arbitral proceedings, that extension has been sought, on examination of the matter, this Court is of the considered view that a further extension is necessary to conclude the final arguments and to make the award.

6. Accordingly, this petition is disposed of by ordering that the Arbitral Tribunal's term shall stand extended for a further period of 6(six) months w.e.f. 05.10.2025. It is also further provided that no further extension will be allowed.

7. As ordered above, the instant petition stands allowed and is disposed of.