

(2021) 06 CAL CK 0078
In the Calcutta High Court
Case No : AP No. 226 Of 2021

Soumita Construction Private Limited	APPELLANT
Vs	
Fairland Development India Limited And Ors.	RESPONDENT

Date of Decision : 23-06-2021

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 29A

Citation : (2021) 06 CAL CK 0078

Hon'ble Judges : Moushumi Bhattacharya, J

Bench : Single Bench

Advocate : Malay Ghosh, . Suvadeep Sen, Debasish Ghose, Dwaipayan Basu Mallick

Final Decision : Disposed Of

Judgement

This is an application filed by the petitioner (claimant in the arbitration proceedings) under section 29A of the Arbitration and Conciliation Act, 1996 for an extension of six months with effect from 30th April, 2021 and for the learned Arbitrator to make the Award within the extended time.

Learned counsel appearing for the petitioner submits that the petitioner obtained a first extension by an order dated 29th September, 2020 by which

time was extended till 30th April, 2021. Counsel submits that sittings were held on virtual mode from January till April, 2021 during which the evidence

was concluded. Further dates were fixed in April and May, 2021 but the hearing could not be carried on beyond 7th May, 2021 by reason of the

lockdown and other practical difficulties arising therefrom. Counsel submits that arguments are presently being made by the petitioner/ claimant and

seeks a further extension of time for the Arbitrator for publishing the Award.

Learned counsel appearing for the respondents submits that the respondents

would require about two months to complete their arguments.

Upon hearing learned counsel, this Court is of the view that the order dated 29th September, 2020 had made it clear that the arbitration proceedings

shall be held on virtual mode and on a day-to-day basis. Since arguments are presently being made on behalf of the petitioner and according to counsel

six more sittings are required for completion of the petitioner's arguments followed by further sittings for completion of the respondents's

arguments, the time for the Arbitrator to finally publish the

Award is extended till 8th November, 2021. Lockdown and other difficulties should not come in the way since the hearings are being conducted

through the virtual mode. The parties shall endeavour to complete the arguments well within time so that the learned Arbitrator can have sufficient

time to publish his Award.

AP No. 226 of 2021 is disposed in terms of the above.