

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/243/2026

SREI EQUIPMENT FINANCE LIMITED
VS
SEIRRA INFRAVENTURE PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 20th April, 2026.

Appearance:

Mr. Swatarup Banerjee, Adv.

Mr. Sariful Haque, Adv.

Mr. Rajib Mullick, Adv.

Ms. Sonia Mukherjee, Adv.

...for the petitioner

Ms. Kishwar Rahman, Adv.

Ms. Divya Tekriwal, Adv.

...for the respondent

The Court: The petitioner has preferred the present petition under Section 29A of the Arbitration and Conciliation Act, 1996, seeking extension of the mandate of the Arbitral Tribunal for completion of the arbitral proceedings and publication of the arbitral award.

Learned Counsel for the petitioner submits that by order dated 18.07.2023 and 01.08.2023 this Court had constituted the Arbitral Tribunal under Section 14 and 15 of the Arbitration and Conciliation Act, 1996. It is submitted that the pleadings were completed in the matter before the erstwhile Arbitrator. The evidence of the claimant was concluded and an application under Section 17 was also decided by the learned sole

Arbitrator. The mandate of the Tribunal was earlier extended by this Court vide order dated 28.01.2025 for a period of one year from the date of communication of the said order to the Arbitral Tribunal. The said order was communicated to the learned Arbitrator on 06.02.2025 and hence the mandate of the Arbitral Tribunal was extended upto 06th February, 2026.

It is submitted by the learned Counsel for the petitioner that he has preferred an application under Section 12 and 13 of the Arbitration and Conciliation Act, 1996 before the Arbitral Tribunal raising issues with regard to the impartiality of the learned sole Arbitrator. The Arbitral Tribunal proceeded with the hearing of the said application under Section 12 and 13 of the Act.

He further submits that an identical issue involving the petitioner in a separate arbitral proceedings, a similar challenge under Section 12 and 13 of the Act had been raised in AP-COM/712/2025. The said challenge was dismissed by this Court vide order dated 28.11.2025. It is contended by the learned Counsel for the petitioner that since the issues raised in both the matters are identical, the petitioner was awaiting the decision of this Court in the said proceeding. Owing to the pendency of the said issue, the arbitral proceedings could not progress further and in the meantime, the mandate of the Arbitral Tribunal expired on 28.02.2026.

It is further submitted by the learned Counsel for the petitioner that the proceedings before the Tribunal have reached an advanced stage and are presently listed for final arguments.

Learned Counsel for the respondent states that she has no objection to the extension of the mandate of the Arbitral Tribunal.

Upon consideration of the submissions of both 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 proceedings.

Having regard to the advance stage of the proceedings and in the interest of justice, the mandate of the learned sole Arbitrator is extended further for a period of six months 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 aforesaid observations, the present petition stands disposed of.

(GAURANG KANTH, J.)

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