



Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Arb. P. No. 1 of 2025

Date of Decision: 28.03.2025

BSCPL Infrastructure Limited

..... **Petitioner(s)**

Versus

The Additional Chief Engineer PWD (Roads),
 Western Zone, Meghalaya-794001

.... **Respondent(s)**

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. K. Ch. Gautam, Adv.

For the Respondent(s) : Mr. A. Kumar, AG with
 Ms. S. Laloo, GA

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

JUDGMENT AND ORDER (ORAL)

1. This application under Section 29A (4) of the Arbitration and Conciliation Act, 1996 is the second such application in the pending Arbitral proceedings between the parties herein.



2. This Court by order dated 23.04.2024 passed in Arb.P. No. 2 of 2024 after discussing the matter on the respective submissions advanced by the counsel for the parties was pleased to extend the mandate of the Arbitral Tribunal for a period of 1(one) year w.e.f. 04.04.2024.

3. In this instant application, the reasons for seeking extension are that after the extension allowed by this Court, the Petitioner's Nominee Arbitrator, Hon'ble Mr. Justice Devinder Gupta (Retd.) expired on 17.06.2024, and the matter could not be taken up on the dates fixed. Thereafter, the petitioner then appointed Hon'ble Mr. Justice Tawant Singh (Retd.) as its Nominee Arbitrator and the Arbitral Tribunal stood re-constituted on 18.10.2024, whereafter the matter was taken up on 24.10.2024 for directions. The Arbitral Tribunal then fixed the matter for final arguments to be advanced by the claimant on 10.12.2024, 11.12.2024 and 14.12.2024. However, as the matter could not be taken on the dates fixed, the matter was re-fixed by the Arbitral Tribunal on 22.01.2025, 23.01.2025 and 24.01.2025.

4. It has been submitted by the petitioner and not refuted by the respondent that further time will be required in the proceedings in view of the circumstances aforementioned.



5. Having heard the learned counsel for the parties, though this is the second application in the same arbitral proceedings that extension has been sought, the reasons given for the same being genuine, this Court is of the considered view that a further extension is necessary to make the Award.

6. Accordingly, though 9(nine) months extension has been prayed by the petitioner, but considering that the matter is at the final argument stage, 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. 04.04.2025.

7. The writ petition stands allowed to the extent indicated above and disposed of.

JUDGE

Meghalaya
28.03.2025
"V. Lyndem-PS"