

In the Court of the District Judge, Birbhum at Suri

Misc. Case – 97 of 2024

CNR No. WBBB01-004310-2024

Present:- Sri Santanu Jha, (WB00399)
District Judge, Birbhum.

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04.07.2026

All the three parties, State of West Bengal / petitioner, original respondents and the petitioner in Misc. case no. 109/2024 are present.

A petition was filed by the original respondents namely Narendra Kumar Anchalia and others on 23.06.2026 praying for immediate disbursement of 25% of the awarded money in obedience to the order passed by the Hon'ble Supreme Court of India dated 15.06.2026 in Civil Appeal no. 2672/2024.

Written objection has been filed on 30.06.2026 by the petitioner of the Misc. Case no. 109/2024.

It is pertinent to mention that the award passed by the sole Arbitrator namely Sri Santosh Kumar Roy (District Judge, retired) has been challenged by the State of West Bengal in Misc. case no. 97/2024 on the basis of an application taken out under section 34 of the Arbitration and Conciliation Act. The same award has also been challenged by Sunil Anchalia and others in another Misc. Case no. 109/2024 and both the Misc. Cases are posted and taken up simultaneously as both the cases relate to the same award by the sole arbitrator and it is under challenge in both the Misc. Cases.

It is important to note that the Hon'ble Supreme Court of India was pleased to direct as follows :-

“(i) The Reference Court is directed to release 25% of the deposited amount in favour of the original respondents, including Narendra Kumar Anchalia, within one week. This release shall be subject to his furnishing an undertaking on affidavit that after the adjudication of the apportionment/title suit, the excess amount, if any, shall be refunded along with interest, as may be determined by the Court. Such undertaking shall be furnished before the Reference Court; (ii) The Reference Court is directed to keep the balance amount

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in a Fixed Deposit in a Nationalised Bank, which would fetch the maximum rate of interest; (iii) The Reference Court is further directed to decide the inter se apportionment/title dispute between the parties as early as possible and preferably within three weeks. The disbursement of the balance amount shall depend upon the outcome of those proceedings.”

In view of the above directions of the Hon’ble Court, hearing of the petition filed by the original respondents together with W/O thereof is taken up.

The Ld. Counsel for the State of West Bengal namely Sri Sushovan Sengupta, Ld. Senior Advocate, has submitted that the entire arbitral amount has been deposited as per direction of the Hon’ble Supreme Court and therefore, the parties should have no apprehension of any deprivation. The Ld. Counsel has submitted that he has got instruction from his client that the prayer will be made before the Hon’ble Court shortly praying for further modification and as such, the hearing of the case should be deferred. With regard to such submission from the State, it is clearly observed that in view of the Hon’ble Court’s order there is no scope for granting any adjournment particularly when the prayer is for release of 25% of the deposited amount, as per solemn direction of the Hon’ble Court.

Therefore, the hearing of the matter is taken up and proceeded with.

This Court earlier, vide order dated 06.06.2026, fixed the petition under Order 01 Rule 10 of CPC dated 10.01.2025 filed by Sunil Anchalia for hearing. Same be also fixed for hearing.

The Ld. Advocate for the respondents Narendra Kumar Anchalia and others has submitted and he is heard in full. Other sets of respondents have submitted that argument advanced on behalf of Narendra Kumar Anchalia and others is being adopted by them.

Ld. Advocate for the respondents namely Narendra Kumar Anchalia and others filed photocopies of some documents along with firisti. Copy served.

Ld. Advocate for the original respondents (petitioners of the petition dated 23.06.2026) has prayed for adjournment on the ground that they are required to study the

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documents filed by the other respondents and take instruction from his clients.

Ld. Advocate appearing for the original respondents has prayed for a short adjournment till Wednesday (08.07.2026). Ld. Advocate has prayed for fixing 09.07.2026 & 10.07.2026 for next hearing.

Considering the huge volume of the case record and considering the prayer made by the petitioner / original respondents, prayer for adjournment is allowed.

Fix **09.07.2026** & **10.07.2026** be fixed for hearing of the petition dated 23.06.2026 together with its objection.

Dictated & corrected by me.

District Judge, Birbhum.

District Judge, Birbhum.
(JO Code-WB00399)