

IN THE COURT OF DISTRICT JUDGE, BIRBHUM AT SURI

Misc Case no. 109 of 2024
CNR No. WBBB01-004717-2024

Present: -Smt. Arti Sharma Roy (WB00149)
District Judge, Birbhum.

Order no. 13

Dt. 27.11.2025

Record stands fixed for hearing on behalf of maintainability of instant miscellaneous case under Section 34 of Arbitration and Consideration Act, 1996 preferred by Sunil Anchalia and two others.

Ld. Advocate for the petitioner and the contending respondents no. 1 to 4 are duly represented by their respective lawyers.

Ld. Advocate for the petitioner while arguing for petitioner has submitted in all fairness that the arbitral award dt. 31.08.2024⁵ disputed in instant arbitration petition bearing no. 109/2024 is also under challenge by the State of West Bengal in another miscellaneous arbitration case bearing no. 97/2024 which is pending before this court for hearing. He further submits that he has preferred an application under Order 1 Rule 10(2) of Code of Civil Procedure for his impleadment in Miscellaneous Arbitration Case no. 97/2024 and his application under Order 1 Rule 10(2) of Code of Civil Procedure is yet to be taken up for hearing.

The contesting OP no.1 to 4 / State of West Bengal has conceded to the submission and Ld. Advocate for the petitioner.

In the given fact of pendency of another miscellaneous arbitration case bearing no. 97/2024 challenging validity of the arbitral award dt. 31.08.2024 wherein present petitioner has also claimed his stake by filing petition for addition of party, it appears expedient to keep instant arbitral petition in hand in abeyance till the disposal of the petition under Order 1 Rule 10(2) of Code of Civil Procedure in Miscellaneous Arbitration Case no. 97/2024.

Fix **16.01.2026** awaiting disposal of petition under Order 1 Rule 10(2) of C.P.C.

Dictated & corrected by me

District Judge, Birbhum.

District Judge, Birbhum.
(JO Code-WB00149)