

In the Court of the District Judge, Purba Bardhaman

Present:- Shri Partha Sarathi Sen(WB01045),

District Judge, Purba Bardhaman

Misc (Arbitration) Case No. 19 of 2021

(CNR No: WBB010005002021)

Union of India,

through the Chief Project Manager, Kolkata,

Dedicated Freight Corridor Corp. of India Ltd.

-Vs-

Mritunjoy Ghosh & another

Order No. 01 dated 02-02-2021

This is an application U/S 34 of the Arbitration and Conciliation Act, 1996, along with some xerox documents, filed this day by the petitioner supported by affidavit, praying for an order for setting aside the impugned arbitral award dated 10-08-2016 passed in Arb. Case No. **I-Arbtn (DFCC) 86/2015** and for passing any other order or orders which will be appropriate in circumstances of the case, on the ground stated there in.

A petition u/s 36 of the Arbitration and Conciliation Act, 1996, supported by affidavit, is also filed herewith by the petitioner, praying for an order of stay of the operation of the said arbitral award dated 10-08-2016 till disposal of the application u/s 34 of the Arbitration and Conciliation Act, 1996 with a further prayer for an interim order of stay till hearing of the application, on the ground stated there in.

Let it be kept with the record. Put up when occasion will arise.

As per office report, it reveals that the application is not filed within stipulated period of time.

Hence it is barred by limitation.

But petitioner has not taken any step regarding limitation along with the application.

Court fees paid of Rs. 100/- out of payable Court fees Rs. 5000/-.

So a sum of Rs. 4900/- falls as D.C.F.

However, register it.

Requisites are filed with process fees.

Let those be kept with the record.

Fix 24-03-2021 for filing D.C.F. and steps regarding limitation by the petitioner.

To date for order in presence of lawyer.

Dictated & corrected by me

Sd/- P. S. Sen

District Judge, Purba Bardhaman

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District Judge, Purba Bardhaman

