

**Misc. Arbitration Case (Commercial) – 05/2024**  
**[CNR No : WBB17-000006-2024]**  
**J.O Code : WB01311**

Order No. –18

Dated : 04/03/2025

This day is fixed for hearing of the section 34 application.

The Ld. Advocate for the petitioner draws the attention of the Court to IA no. 06 of 2024 which is pending.

Accordingly IA no. 06 of 2024 is taken up for hearing.

The crux of the application is that the respondent has not signed the affidavit which has been annexed with the objection to section 34 application.

Accordingly, prayer has been made for non accepting the WO filed by the respondent.

I have perused the WO.

The respondent has signed on each and every page of the objection but have not signed the affidavit page.

The Ld. Advocate for the respondent submitted that inadvertently the respondent failed to sign the affidavit. She also submitted that the respondent has however signed the verification and therefore non signing of the respondent in the affidavit does not mean that the entire objection has to be discarded.

I have heard the Ld. Advocates.

I am of the considered view that failure of the respondent to sign the affidavit is a curable defect.

Accordingly, the respondent is directed to file a fresh affidavit on the next date.

IA no. 06 of 2024 is accordingly disposed of.

The section 34 application is taken up for hearing.

However as the Ld. Advocate for the petitioner is not ready with the matter, the hearing stands adjourned.

**Fix 27/03/2025 & 28/03/2025 for hearing.**

D/C by me

Judge, Commercial Court  
At Asansol

Judge, Commercial Court  
At Asansol