

Misc. Case 8156 of 2024

Present: Sonia Majumdar, Ld Judge, Bench II (WB01128)

Order No.04 Dated 11-05-2026

Date is fixed for S/R and A/D.

Petitioner files no hazira.

It appears that the instant Misc. Case is pending since 18.11.2024.

On perusal of the record it appears that the ninety days contemplated under Section 9(2) of the Arbitration and Conciliation Act, 1996 (as amended in 2015) has long elapsed. There is nothing to show that the petitioner had attempted initiation of the arbitration proceeding.

Section 9 of the Arbitration and Conciliation Act, 1996 is an interim measure. I find no reason to extend the time since there has been no attempt to initiate arbitration proceeding till date. The Misc. Case became infructuous.

Hence, it is

ORDERED

that the instant Misc. Case be and the same is dismissed for non prosecution under Section 9(2) of the Arbitration and Conciliation Act, 1996 (as amended in 2015).

Dictated and corrected by me

Judge
Bench-II

Judge
Bench-II