

Misc. Appeal No.28 of 2025
Present: Biswarup Bandyopadhyay, Chief Judge
Order No.3 /dated 30.06.2025:

The Ld. Counsel for the appellant/petitioner is present. He files three speed post receipts along with track report in connection with supply of the copy of memo of appeal along with stay application to the three respondents and accordingly submits that the copies have been delivered on the addressees as per the track report submitted on behalf of the appellant. The Ld. Counsel intends to move the say application citing grave urgency involved in the matter.

It is submitted by the Ld. Counsel that the arbitrator while passing the interim order dated 11.03.2025 under Section 17 of the Arbitration and Conciliation Act, 1996 has virtually disposed the matter by granting final relief thereby freezing the amount of the appellant/petitioner. He submits that such order has caused huge inconvenience to the petitioner to meet his day to day expenses for his family. He further submits that the petitioner has already paid the amount and he can submit the documents by next date. Ld. Counsel also submits that the petitioner is also willing to give an undertaking that he shall not operate the bank account in taking out the entire money therein and he may be allowed to operate 50% of the amount to deal with the amount lying therein.

Heard the Ld. Counsel.

On perusal of the office report it appears that there is a delay of 72 days in preferring the instant appeal against the interim order passed by the Ld. Arbitrator dated 11.03.2025. There is no application filed praying for condonation of delay. The appeal cannot be admitted without delay being condoned.

Therefore, the petitioner is directed to take steps with regard to the condonation of delay.

The matter is adjourned today, fixing 10.07.2025 for steps/further hearing.

Dictated & corrected by me:

Chief Judge

Chief Judge

City Civil Court, Calcutta.

