

Misc. Case – 38/2021(CC)
Misc. (Arb) Case – 43/2011

Present :: Neyaz Alam
Judge Commercial Court at Rajarhat
North 24 Parganas

CNR:WBNP19-000070-2021
J.O Code – WB01398

17
11.01.2024

Date is fixed for SR/AD and appropriate steps by petitioner in respect of service of notice.

Petitioner files an adjournment application seeking time on the ground of difficulty of the learned Advocate.

Heard the petitioner.

It appears from the record the instant case is filed under Order IX Rule 9 CPC on account of dismissal of the objection application under Section 34 of the Arbitration & Conciliation Act, 1996 on 28.01.2020 for default. Thereafter, after the expiry of the limitation, the petitioner filed the instant case along with Section 5 application praying for condonation of delay of 454 days.

It further reveals the petitioner has not taken sincere steps or cause notice to the opposite party and thereby consumed considerable time.

In view of the above facts and circumstances, the adjournment application is hereby allowed as a last chance subject to payment of cost of Rs.30,000/- (rupees thirty thousand) payable to the Secretary, DLSA, North 24 Parganas at Barasat.

Fix **24.01.2024** for taking appropriate steps in respect of service of notice and receipt copy towards the payment of cost i.d. legal consequences shall follow.

Sd/- Neyaz Alam
Judge
Commercial Court,
Rajarhat, North 24 Parganas