

Misc. Arb (Com) – 1/2024

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

**CNR: WBNP19-000004-2024
J.O Code.WB01398**

**2
02.03.2024**

Petitioner files hazira.

The Misc. Case is taken up for hearing of application under Section 34(3) of the Arbitration & Conciliation Act, 1996 in respect of condonation of delay in filing Section 34 application.

Heard learned counsel appearing on behalf of petitioner.

Perused the arbitral award as well as Section 34(3) application from which it reveals that arbitral award has been passed on 01.09.2023, petitioner received the award dated 11.09.2023 and Section 34 application has been filed on 08.01.2024 with a delay of 28 days.

Considering the aforesaid facts and circumstances, I am of the view that Section 34 application has been filed within stipulated period as emphasizes in Section 34(3) of the Arbitration & Conciliation Act, 1996.

Accordingly, Section 34 application is admitted by condoning the delay.

Fix **18.04.2024** for SR/AD, requisites forthwith.

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