

Misc Arb (COM)-01/2024

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ALIAH UNIVERSITY AND 1 ANR. Vs ASCENSIVE EDUCARE LIMITED

**Present :: Ishani Chakravarty Banerjee (J.O Code.WB00890)
Judge, Commercial Court at Rajarhat
North 24 Parganas.**

CNR: WBNP19-000004-2024

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21.11.2025

1. Today is fixed for hearing of the application under Section 34 of the Arbitration & Conciliation Act, 1996, and for filing DCF in respect of the written explanations filed by the petitioner.
2. The learned Advocate for the petitioner appears and files hazira.
3. The learned Advocate for the respondent appears and files hazira.
4. It is submitted by the learned Advocate for the petitioner that although the respondent filed the written objection to the petitioner's application under Section 34 of the Arbitration & Conciliation Act, 1996 on 25.03.2025, a copy of the same was not served upon him and has been served only today. The petitioner submits that he intends to file a rejoinder to such written objection and verbally seeks time to address the same.
5. Upon perusal of the case record, it appears that the instant application was filed on 08.01.2024 and thereafter on several occasions adjournments have been sought by the parties. Today, when the matter is again taken up for hearing, it is apprised to this Court that although the written objection was filed on 25.03.2025, the service of the same has been effected only today. Even the deficit Court fees in respect of the written explanations filed by the petitioner have not been filed today.

In view of the above, and for the ends of justice, the matter is adjourned, granting a final opportunity to the petitioner to proceed with the application, failing which, appropriate orders shall be passed.

6. Fix **09.03.2026** for hearing of the application under Section 34 of the Arbitration & Conciliation Act, 1996, and for filing DCF in respect of the written explanations filed by the petitioner.
7. The parties are directed to take note that **no adjournment shall be granted on the next date.**

**Sd/- Ishani Chakravarty Banerjee
Judge
Commercial Court,
Rajarhat, North 24 Parganas**