

**Misc Arb (Com) –18/2026**

**Motilal Madhogarhia Vs M/S. Wellington Hardware Stores & Ors**

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

**CNR: WBNP19-000046-2026**

**05**

**15.06.2026**

1. Today is fixed for hearing of the application under Section 36(2) read with Section 36(3) of the Arbitration and Conciliation Act, 1996.
2. The learned Advocate for the petitioner appears and files hazira.
3. The learned Advocate for respondent nos. 3 to 6 appears and files hazira along with an adjournment petition praying for time to file written objection to the application under Section 5 of the Limitation Act, 1963.
4. The learned Advocate for respondent no. 7 appears and files hazira along with a written objection to the application under Section 5 of the Limitation Act, 1963, as well as two adjournment petitions seeking time to file (i) written objection to the application under Section 34 of the Arbitration and Conciliation Act, 1996, and (ii) written objection to the application under Section 36(2) read with Section 36(3) of the Arbitration and Conciliation Act, 1996.
5. Heard the learned Advocates for the respective parties. It is submitted by the learned Advocates for respondent nos. 3 to 6 and respondent no. 7 that until the application under Section 5 of the Limitation Act, 1963 is disposed of, the application under Section 36(2) read with Section 36(3) of the Arbitration and Conciliation Act, 1996 cannot be taken up for hearing. It is further submitted that an opportunity be granted to file written objections to the application under Section 5 of the Limitation Act, 1963, and adjournment is prayed for. Considering the submissions and materials on record, it is observed that until the application under Section 5 of the Limitation Act, 1963 is disposed of, the matter cannot be proceeded with at this stage.
6. The respondents are at liberty to file written objections to all the applications with advance service upon the opposite party/petitioner at least fifteen (15) days prior to the next date of hearing, and to file the same before this Court on the next date.
7. Fix **21.07.2026** for hearing of the application under Section 5 of the Limitation Act, 1963.

**Dictated & Corrected by me**

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

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Judge  
Commercial Court, Rajarhat,  
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