

Misc. Arb (Com) – 3/2024

Misc. Arb – 14/2019(CC)

N C Telecom Pvt. Ltd Vs BSNL

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

CNR: WBNP19-000073-2019

**62
28.10.2025**

1. Today is fixed for further hearing and for filing of affidavits and written objections, if any.
2. The learned Advocate for the petitioner appears and files hazira.
3. The learned Advocate for the respondent appears and files hazira along with a petition supported by an affidavit on the issue of maintainability, as well as an application seeking extension of time to consider the same on the grounds stated therein.
4. Heard the learned Advocates for the respective parties. Upon perusal of the record, it appears that by order dated **12.08.2025**, this Court had directed the respondent to file a petition with an affidavit on the issue of maintainability within the month of **September 2025** and to serve a copy upon the other side. The petitioner was granted liberty to file a reply thereto, if any, and to serve a copy upon the respondent before the next date of hearing.

However, no such petition was filed within the stipulated period. The learned Advocate for the respondent submits that the draft petition had been forwarded to the concerned department of **BSNL** for approval and that, due to delay in obtaining such approval, the respondent was unable to file the same within time. A prayer is accordingly made to extend the time till today and to accept the petition filed today.

5. Considering the submissions made and for the reasons stated, the prayer for **condonation of delay in filing the petition with affidavit on the issue of maintainability** is allowed. Accordingly, **time for filing the said petition is extended till today**, and the petition filed is taken on record.
6. The petitioner is at liberty to file a reply thereto, if any, and shall serve a copy upon the other side **at least seven days prior to the next date of hearing**.
7. **Fix 12.12.2025** for further hearing and for filing of written objections, if any.

The parties are directed to come ready at **10:30 A.M. sharp**.

It is made clear that **no further adjournment shall be granted at the instance of either party**, and in default, the matter shall be heard **ex parte**.

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