

Present: Sri Srikumar Goswami(JO Code:WB00714)
Judge, Commercial Court at Alipore
Misc Case (Arbitration) 15 of 2021
CNR No: WBSP18-000065-2021

Order No. 05
20.12.2021

In the matter of:
An application Under
Section 36 of the
Arbitration and
Conciliation Act, 1996 read
with Order 21 Rule 11 (2)
of CPC, 1908
And

In the matter of:
Jaya Kar

Vs.

In the matter of:
The Union of India & 3 ors.

ORDERED

Today is fixed for filing objection by Respondent no. 3 positively and appearance of other Respondents.

Petitioner and Respondent no. 3 files haziras.

Respondent No . 3 files affidavit in opposition Under Section 36 of the Arbitration and Conciliation Act, 1996 read with Order 21 Rule 11 (2) of CPC, 1908. Copy served through email.

*Respondent No. 3 files an application along with advocate's letter for staying the execution of Award as well as the further proceedings of this case as they have filed an application under section 34 of the Arbitration and Conciliation Act, 1996 for cancellation for setting aside the Arbitral award before the Hon'ble High Court being **G.A no. 02 of 2020 in AP No. 550 of 2016** till disposal of the above appeal . The same be registered as **IA no. 01/2021**.*

This is an application Under Section 36 of the Arbitration and Conciliation Act, 1996 read with Order 21 Rule 11 (2) of CPC, 1908, filed by the Petitioner.

Initially the application has been filed before the Court of District Judge, Paschim Medinipur.

Subsequently, record has been transferred to this Court.

On perusal the case record it appears that only Respondent No 3 appeared before the Court of District Judge, Paschim Medinipur by filing vakalatnam. Other Respondents no. 1,2 & 4 did not appear their.

On the last occasion, Respondent No. 3 appeared and prays time while Respondent Nos. 1 , 2 & 4 did not turned up.

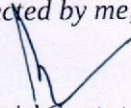
Petitioner is directed to take further steps upon the Respondent Nos. 1 , 2 & 4 with in 72 hrs.

Fix, 14.01.2022 at 12.30 p.m for S/R appearance of Respondent Nos. 1 , 2 & 4.

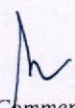
To date** for hearing of the the stay application being **I.A no. 01/2021.

The Petitioner is directed to copy of this downloaded order be served upon the Respondents at once within 24 hours.

Dictated & corrected by me,


Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE


Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE