

**Present: Sri Utpal Misra (JO Code:WB00659)**  
**Judge, Commercial Court at Alipore**  
**Misc Case (Arbitration) 47 of 2022**  
**Renumbered as Misc. Arb (Com) 42 of 2022**  
**(CNR No. WBSP18-000106-2022)**

Order No. 15  
19.02.2024

In the matter of:  
An application under  
Section 34 of the  
Arbitration and  
Conciliation Act, 1996.  
And

In the matter of:  
The State of West Bengal  
Vs.

In the matter of:  
Makintosh Burn Limited

**ORDERED**

Today is fixed for fixing dates of case management hearing of the instant Misc. Case pertaining to an application filed by the petitioner under Section 34 of the Act.

Both sides have filed their respective haziras.

An application is filed which has been registered as I.A No. 03/2024 by the petitioner/applicant praying for extension of the time period for compliance of the order dated 02.01.2024 of this Court regarding furnishing the bank guarantee on the ground stated therein.

Seen the application.

Heard Ld. Counsel on behalf of the petitioner/State of West Bengal who submits before this Court that all the procedure regarding furnishing the bank guarantee as per order of this Court dated 02.01.2024 are almost complete. So, he prays for further extension of time for the compliance of the order of this Court and he further submits before this Court unless the extension as sought for by the petitioners/State of West Bengal is granted then they will be suffer irreparable loss and injury.

So, having heard the submissions of both sides as well as perusing the application filed by the petitioners/State of West Bengal, let there be an extension for further period of 4 weeks from this day to comply with the order dated 02.01.2024 passed by this Court regarding furnishing bank guarantee and accordingly the stay operation of arbitral award under reference already granted by this Court will continue for another 4 weeks from this day in the event of petitioner succeeds to furnish the bank guarantee within the time period of 4 weeks. No further extension will be allowed.

The instant application being No. **I.A No. 03/2024** is thus accordingly disposed off.

Now record is taken up for fixing date of hearing.

Fix

**28.03.2024 and 01.04.2024 at 12.30 to 1.15 p.m** for hearing of the case on behalf of the Petitioner in connection with an application Under Section 34 of Arbitration and Conciliation Act, 1996.

**03.04.2024 and 04.04.2024 at 12.30 to 1.15 p.m** for hearing of the case on behalf of the Respondent in connection with an application Under Section 34 of Arbitration and Conciliation Act, 1996.

**06.04.2024 at 12.30 to 1.00 p.m** for hearing reply of the case on behalf of the Petitioner.

Parties to act accordingly with the downloaded copy of order sheet from Ecourts App/Website.

Dictated & corrected by me,

Sd/-

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

Sd/-

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