



ORDER

OCD-14 & 15 ^{2025:CHC-OS:187}

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION

ORIGINAL SIDE

AP-COM/96/2025

VIJETA PROJECTS AND INFRASTRUCTURES LIMITED
VERSUS
ENGINEERING PROJECTS (INDIA) LIMITED

AP-COM/873/2024

VIJETA PROJECTS AND INFRASTRUCTURES LIMITED
VERSUS
ENGINEERING PROJECTS (INDIA) LIMITED

BEFORE :

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 4th March, 2025.

Appearance:

Mr. Kishore Datta, Sr. Adv. & Adv. Gen.
Mr. Ankit Agarwala, Adv.
Mr. Altamash Alim, Adv.
for the petitioner.

Mr. Arnab Chakraborty, Adv.
Ms. Pragya Bhowmick, Adv.
Ms. Esha Kar, Adv.
. . . . for the respondent.

Re : AP-COM/873/2024

1. AP-COM/873/2024 is an application under Section 34 of the Arbitration and Conciliation Act, 1996, for setting aside the arbitral award.



2. The application has been filed 12 days beyond the period of three months from the date of receipt of the award. Paragraph 104 of the application enumerates the cause for the delay. It has been specifically averred that after the award was received, the legal team of the petitioner analysed the same and upon obtaining necessary approval from higher officials, took a decision to challenge the award. The learned Advocate-on-Record was instructed to prepare a draft. The application was prepared and made ready on September 10, 2024. Upon revision of the draft and certain corrections and modifications, the same was sent back to the learned Advocate on September 13, 2024 and the application was filed on September 30, 2024.
3. Learned Advocate for the award holder does not dispute that the application has been filed within the period of 30 days after expiry of the three months from receipt of the award by the petitioner/award debtor.
4. Under such circumstances, the delay is condoned. AP-COM/873/2024 shall be heard.
5. The award holder prays for liberty to file affidavit-in-opposition to the said application.
6. Such prayer is allowed.



7. Let affidavit-in-opposition be filed within four weeks; reply thereto, if any, be filed within two weeks thereafter.

8. Liberty to mention after expiry of the aforementioned period.

Re : AP-COM/96/2025

This is an application for unconditional stay of the award dated June 17, 2024, passed by the learned Arbitral Tribunal.

Heard the learned advocates for the respective parties.

Let the matter be listed on 11th March, 2025 to enable Mr. Datta, learned senior Advocate and Advocate General to come back with necessary calculations on the sum to be secured.

(SHAMPA SARKAR, J.)