

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

IA NO. GA-COM/1/2025
In
AP-COM/824/2024
SPML INFRA LIMITED
Vs
NAVKAR URBANSTRUCTURE LIMITED
(FORMERLY KNOWN AS NAVKAR BUILDERS LTD)

AND

IA NO. GA-COM/2/2025
In
AP-COM/824/2024
SPML INFRA LIMITED
Vs
NAVKAR URBANSTRUCTURE LIMITED
(FORMERLY KNOWN AS NAVKAR BUILDERS LTD)

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 18th July, 2025

Appearance:-

*Mr. Prithwish Roy Chowddhury, Adv.
Mr Aritra Deb, Adv.
... for SPML INFRA LIMITED*

*Mr. K. Thaker, Sr. Adv.
Mr. Varun Kedia, Adv.
Mr. Avee Jaiswal, Adv.
... for the respondent.*

The Court:- Learned Senior Counsel appearing for the petitioner, while moving the application for condonation of delay, seeks to place reliance on certain papers annexed to the main recall application.

Learned Counsel appearing for the claimant/respondent in the present applications submits that a preliminary reply to the statement of claim has been given by the respondent before the arbitral tribunal and, as such, the respondent/present applicant has already participated in the arbitral proceeding pursuant to the order passed under Section 11 of the Arbitration and Conciliation Act, 1996, which is sought to be recalled.

A copy of the said preliminary reply is handed over in Court. A copy thereof is also served here and now on learned Senior Counsel appearing for the applicant before this Court.

On the prayer of the claimant/respondent, the claimant/respondent is directed to file its affidavits-in-opposition to both GA-COM 1 of 2025 as well as GA-COM 2 of 2025 within a fortnight from date. Replies thereto, if any, shall be filed within a week thereafter. Both the applications shall be listed together on August 22, 2025.

It is made clear that the direction for filing affidavits with regard to GA-COM 2 of 2025 shall not be construed as the condonation application being disposed of.

(SABYASACHI BHATTACHARYYA, J.)