

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

FMAT(ARBAWARD)/6/2024

IA No.CAN/1/2024, CAN/2/2024

Union of India

Vs.

M/s Annu Engineering Corporation and others

November 7, 2024
[SR]
Item No.2

Mr. V.D.Sivabalan ... for the appellant

Re: CAN/1/2024

1. Sufficient grounds are available to explain the delay of 173 days in filing application under section 37 of the Arbitration and Conciliation Act, 1996.
2. The delay is condoned.
3. Accordingly, CAN/1/2024 is allowed and disposed of.
4. The application under section 37 of the Act, 1996 is taken up for hearing.

Re:CAN/2/2024

1. This is an application for stay of execution of the award.
2. Having carefully considered the award, this Court finds that the District Judge has not addressed all the questions as raised by the Administration in respect of the award in favour of the petitioner.
3. It may be noted that the application under section 34 was considered afresh upon remand by this Court.
4. In those circumstances, there shall be an unconditional stay of the execution of the award.

5. The respondents are represented.
6. Let affidavit-in-opposition be filed within a period of one month from date. Reply, if any, be filed within one week thereafter.
7. Liberty to mention.

(Rajasekhar Mantha, J.)

(Partha Sarathi Sen, J.)