

Court No. - 9

Case :- MATTERS UNDER ARTICLE 227 No. - 10809 of 2023

Petitioner :- Esab India Ltd.

Respondent :- Union of India

Counsel for Petitioner :- Sahil Srivastava

Counsel for Respondent :- A.S.G.I.

Hon'ble Rohit Ranjan Agarwal,J.

Heard learned counsel for the petitioner and Sri Ashok Singh, learned counsel appearing for Union of India.

This writ petition has been filed under Article 227 of the Constitution of India with the following prayer:-

"To direct the Commercial Court, Varanasi to decide the Misc. Arbitration Case No.07 of 2021 (418 of 2020) within a stipulated period without unnecessary delay and/or to pass any such order deem fit in the eyes of justice, equity and good conscience."

It is contended by learned counsel for the petitioner that the matter is pending before Commercial Court, Varanasi since 2020 and written statement has been filed on behalf of the respondent, but the respondent is taking unnecessary adjournment in the matter.

As the sole prayer is for expeditious disposal of Misc. Arbitration Case No.07 of 2021, this Court without going into the merits of the case hereby directs the Commercial Court, Varanasi to proceed with the matter as expeditiously as possible and after hearing all the affected parties and pass order strictly in accordance with law, preferably within a period of next six months from the date of production of certified copy of this order.

It is made clear that no unnecessary adjournment shall be granted to either of the parties.

With the aforesaid observations/directions, writ petition stands **disposed of.**

Order Date :- 19.10.2023

SK Goswami