

GAHC010144182009



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Arb.A./1/2009

SIBNATH GHOSH
S/O-LATE NIRENDRA NATH GHOSH, R/O-SREE MAA SARANI, SOUTH
BABUPARA, SILIGURI, DIST-DARJEELING , W.B.

VERSUS

THE UNION OF INDIA and ORS
REPRESENTED BY THE GENERAL MANAGER, N.F.RAILWAY, MALIGAON,
GUWAHATI-11.

2:THE DIVISIONAL RAILWAY MANAGER WORKS

N.F.RAILWAY
KATIHAR
BIHAR.

3:THE SR. DIVISIONAL ENGINEER/LINE

N.F.RAILWAY
KATIHAR
BIHAR

Advocate for the appellant(s): Mr. A A Ahmed

Advocate for the respondent(s): Mr. K Gogoi

Standing Counsel, NF Railway

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

13.05.2024

This is an appeal under Section 37 of the Arbitration and Conciliation Act 1996 (for short, the Act of 1996) challenging the order dated 31.10.2008 passed in Misc.(Arb.) Case No.565/2008 by the Court of the learned District Judge (K) Guwahati.

2. Mr. K Gogoi, the learned standing counsel appearing on behalf of the NF Railways submitted that pursuant to the order dated 31.10.2008, an application was filed under Section 11 of the Act of 1996 before this Court for appointment of an Arbitrator. This Court vide order dated 11.06.2010 directed the Railway authorities to appoint an Arbitrator to resolve the dispute between the parties. In pursuance to the said order, the Railway authorities duly appointed an Arbitrator and the Arbitrator had already passed an award which is now being put to challenge under Section 34 of the Act of 1996.

3. Taking into account the above, this Court finds that nothing further remains to be decided in the instant arbitration appeal, for which, the instant appeal stands closed as infructuous.

4. Return back the LCR.

JUDGE

Comparing Assistant