



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

Case No. : Arb.P./2/2024

LEADING EDGE ADVENTURES AND AIRPARKS PVT. LTD
THROUGH CAPTR. SATISH PATHANIA
MANAGING DIRECTOR
H.NO. 1206, NEW JAI BHARAT APTT
PLOT NO. 5, SECTOR-4, DWARKA
NEW DELHI-110075

VERSUS

THE STATE OF NAGALAND AND 3 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND 2:THE
COMMISSIONER AND SECRETARY
GOVT. OF NAGALAND
TRANSPORT DEPT.
NAGALAND KOHIMA

3:THE GENERAL MANAGER
NAGALAND STATE TRANSPORT
TRANSPORT DEPT.
NAGALAND DIMAPUR

4:THE SECRETARY
GOVT. OF NAGALAND
MUNICIPAL AFFAIRS DEPT.
KOHIMA NAGALAN

Advocate for the Petitioner : K LUIKANG MICHAEL (EB LEGAL),

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 07.11.2024

Heard Mr. K. L. Michael, learned counsel for the petitioner. Also heard Mr. Imti Imsong, learned Additional Advocate General, for the State respondent.

This is an application under Section 34 of the Arbitration and Conciliation Act, 1996, seeking setting aside of the Arbitral Award dated 29.02.2024, which was delivered/pronounced on 16.03.2024 passed by the Arbitral Tribunal.

Section 34 of the Act provides re-course to the Court having Principal Civil Court of original jurisdiction in a district and including the High Court in exercise of its ordinary original civil jurisdiction against the arbitral award.

In terms of the Assam High Court order, 1948, Order 4, the Gauhati High Court does not have the ordinary original civil jurisdiction and therefore the present application is not maintainable.

Mr. K. L. Michael, learned counsel for the petitioner, submits that he may be allowed to withdraw the application in order to enable him to file the same before the appropriate forum.

Prayer is allowed.

The arbitration petition stands dismissed on withdrawal with liberty as prayed for.

JUDGE

Comparing Assistant