

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.648 of 2016**

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Sayed Khalid Ahmad

.... Appellant/s

Versus

The Union of India & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjeet Kumar Singh

For the Respondent/s : Mr. Anil Kumar Sinha

Mr. Madhuresh Prasad

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO**

ORAL ORDER

2 21-09-2016

The learned counsel for the petitioner submitted that by the impugned order dated 29.04.2016, the Award passed by the Arbitrator has been set aside under the Provision of Arbitration Act, 1940. Therefore, it is appealable under Section 39 Clause (vi) but by mistake this Civil Misc. application has been filed under Article 227 of the Constitution of India.

The learned counsel appearing on behalf of the respondents No.1 and 2 did not dispute this legal position.

In view of the above facts, the learned counsel for the petitioner seeks permission to convert this Civil Misc. application to an Appeal under Section 39 Clause (vi) of the Arbitration Act, 1940 within two weeks. Prayer is allowed.

The petitioner may convert to an Appeal as stated above within two weeks.

Sanjeev/-

(Mungeshwar Sahoo, J)

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