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IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Via Video Conference)

AP/322/2019

With

IA NO: GA/1/2019

IA NO: GA/2/2020 (Old No. GA/73/2020)

IA NO: GA/3/2020 (Old No. GA/602/2020)

IA NO: GA/4/2020 (Old No. GA/603/2020)

IA NO: GA/5/2020 (Old No. GA/672/2020)

MANOJ KUMAR BHAGAT AND ORS.

Versus

HIRALAL PANDEY

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 17th December, 2020.

Appearance:

Mr. Arik Banerjee, Adv.

Mr. Joyjit Dutta, Adv.

...for the petitioners

Mr. K. Thaker, Adv.

Mr. Puspasish Gupta, Adv.

Mr. Saunak Sengupta, Adv.

Mr. Sukanta Ghosh, Adv.

...for the respondent

The Court: Learned counsel appearing for the petitioners in this application filed under Section 34 of The Arbitration and Conciliation Act, 1996, prays for liberty to withdraw the application on the ground that this Court does not have jurisdiction to hear the matter. Learned counsel appearing for the respondent submits that the respondent has taken out an application i.e. G.A. No. 672 of 2020 for dismissing the petition on the same ground. Counsel also places an

order dated 10th December, 2020 passed by the Supreme Court in an execution proceeding arising out of the impugned award wherein the concerned High Court was directed to take out and decide the Section 34 application within a period of two months from the date of the order.

On hearing learned counsel, leave is given to the petitioners to withdraw the Section 34 application and take legal recourse available to it. Since the direction of the Supreme Court is relevant on the court which ultimately takes up this matter, this fact is noted in this order. All the connected applications filed in the Section 34 application are dismissed in terms of this order.

(MOUSHUMI BHATTACHARYA, J.)

TO