

09/07/2021
Item No.63.
Court No.8.
AB

Through Video Conference

W. P. A. 5181 of 2021

Advayas Technology & Projects Pvt. Ltd.

Vs

The State of West Bengal & Others

Mr. Kushal Chatterjee,
Mr. Debabrata Roy ...for the Petitioner.

Mr. Samrat Sen, Ld. AAAG,
Mr. Amitava Mitra ...for the State.

An award dated September 23, 2020 passed by the West Bengal State Micro Small Enterprises Facilitation Council in Arbitration Case no.131 of 2018 is under challenge in the present writ petition.

Learned advocate appearing for the petitioner submits that, the impugned award was passed in violation of the principles of natural justice.

Learned Assistant Additional Advocate General submits that, the provisions of the Arbitration and Conciliation Act, 1996 are applicable insofar as an award passed by the Council is concerned.

The award was passed by the Council in exercise of powers under the provisions of the Micro, Small and Medium Enterprises Development Act, 2006. The Act of 2006 specifies that an award passed under the

provisions of the Act of 2006 will be governed by the provisions of the Act of 1996.

In such circumstances, the petitioner having statutory alternative remedy, no interference is called for.

W.P.A. No.5181 of 2021 is disposed of, accordingly.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Debangsu Basak, J.)