

25.02.2021  
Court No. 19  
Item No.21  
CP

C.O. 427 of 2021

Calicut Engineering Works Limited  
vs.  
Alok Jha & ors.

(via video conference)

Mr. Chayan Gupta  
Mr. Rittick Chowdhury

....for the petitioner.

This revisional application has been filed for a direction upon the learned Additional District Judge-in-charge, 1<sup>st</sup> Court, Alipore, South 24 Parganas for disposal of the Misc. Case No. 656 of 2017 which is an application under Section 34 of the Arbitration and Conciliation Act, 1996. The petitioner is the award holder.

It is submitted by the petitioner that the application under Section 5 for condonation of delay in filing the proceeding before the learned court below has not been disposed of. It appears that the application for condonation of delay has been heard on several occasions but no final order has been passed as yet, disposing of the said application. It appears that the next date fixed in the learned court below is March 3, 2021.

Under such circumstances, the revisional application is disposed of with a direction upon the

learned court below or the Judge-in-charge to finally dispose of the application under Section 5 of the Limitation Act within four weeks from the next date fixed upon allowing all the parties to contest the proceedings.

The learned court below shall proceed independently and in accordance with law without being influenced by any observations made hereinabove.

The petitioner is directed to serve a copy of the revisional application along with the server copy of this order upon the opposite parties and/or their learned advocates within a week from date.

The revisional application is disposed of. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible subject to compliance of all usual formalities.

**(Shampa Sarkar, J.)**