

IA NO. GA/1/2021
IN APO/18/2021
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
COMMERCIAL DIVISION

PAPINDRA SINGH
VERSUS
M/S. CHOLAMANDALAM INVESTMENT AND FINANCE COMPANY LTD.

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date: 22nd February, 2021.

(Via Video Conference)

Appearance:
Mr. Priyankar Saha, Adv.
Mr. Lal Ratan Mondal, Adv.

Mr. Arif Ali, Adv.
Ms. Debarati Das, Adv.

The Court: In this application under Section 37 of the Arbitration and Conciliation Act, 1996, the petitioner assails against the order dated August 27, 2019 passed by the sole Arbitrator exercising powers under Section 17 of the Act of 1996.

Learned advocate appearing for the respondent submits that the learned Arbitrator passed his award on March 16, 2020. He submits that the petitioner was served with a copy of the award.

At the request of the Court, learned advocate appearing for the respondent makes over a certified copy of the award to the learned advocate for the petitioner in Court.

Learned advocate appearing for the petitioner submits that the postal documents made over along with the certified copy of the award shows that the petitioner merely attempted to serve a copy of the award and that the award was not received by the petitioner.

In such circumstances, since the learned Arbitrator passed an award, I find no reason to keep the application under Section 37 of the Act of 1996 pending. The petitioner is at liberty to take appropriate steps in accordance with law. The points raised by the parties are kept open.

IA No. GA 1 of 2021 in APO 18 of 2021 along with APO 18 of 2021 are disposed of accordingly without any order as to costs.

(DEBANGSU BASAK, J.)

sp/