

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE
(Commercial Division)

APO/136/2021
AP/1735/2015
BOARD OF TRUSTEES FOR THE SYAMA PRASAD
MOOKERJEE PORT, KOLKATA
VERSUS
M/S. SATELLITE ELECTRIC COMPANY

OCOT/2/2022
IA No.GA/1/2022
BOARD OF TRUSTEES FOR THE SYAMA PRASAD
MOOKERJEE PORT, KOLKATA
VERSUS
M/S. SATELLITE ELECTRIC COMPANY

BEFORE

The Hon'ble Justice HARISH TANDON

The Hon'ble Justice PRASENJIT BISWAS

Date: 20th September, 2022

Appearance

Mr. Probal Mukherjee, Senior, Advocate

Mr. Ashok Kumar Jena, Advocate

....for the appellant

Mr. Arik Banerjee, Advocate

Mr. Shaunak Ghosh, Advocate

Mr. Sourav Mondal, Advocate

...for the respondent

The Court: By an order dated 28th July, 2022, the matter was sent for mediation. The report filed by the Mediator would reveal that the parties have arrived at a settlement and, in fact, the appellant herein has agreed to pay a sum of Rs.12 lakhs to the respondent. The respondent has also agreed over the said sum and, therefore, there is no necessity in proceeding with the instant appeal and deciding the matter finally.

Our attention is drawn to the fact that though the settlement has been arrived at a particular amount, but there is no time limit set for the payment of the said amount. Upon hearing the respective counsel, we, therefore, direct the appellant to pay the aforesaid amount of Rs.12 lakhs to the respondent by an account payee cheque on or before 10th October, 2022.

In view of the settlement having been arrived through mediation, the award as well as the order under Section 34 of the Arbitration and Conciliation Act, 1996 shall not be given effect to and be treated to have merged with this order.

The appeals and the application stand disposed of.

[HARISH TANDON, J.]

[PRASENJIT BISWAS, J.]