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AP/311/2018

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

UNION OF INDIA & ORS.
VERSUS
SUPRIYA KUMAR SAHA

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date: 10th April, 2023.

Appearance:
Ms. Aparna Banerjee, Adv.
...for the petitioners.

Mr. Susanta Dutta, Adv.
Mr. Abhik Sarkar, Adv.
...for the respondent.

The Court: Heard learned Counsel appearing on behalf of the parties.

The present challenge under Section 34 is only with regard to the imposition of costs of Rs.2 lakhs by the Arbitrator. It is to be noted that the principal sum along with interest of 15% has already been paid by the petitioners to the respondent. The sum is admitted by the Counsel appearing on behalf of the respondent. It appears that the Arbitrator included Rs.2 lakhs with the principal sum while granting interest at 15%.

In my view, this cost should have been separately allowed with a lesser amount of interest from the period of two months from the date of the award.

Accordingly, the petitioners are directed to pay a sum of Rs.2 lakhs along with interest at the rate of 8% from March 6, 2018 till the date of payment. The payment shall be made within a period of two weeks from date.

With the above observations, the application is partly allowed and AP/311/2018 is disposed of.

(SHEKHAR B. SARAF, J.)