

**WPA 3960 of 2020
with
IA No. CAN 1 of 2024**

**Madhucon Projects Ltd.
Vs
State of West Bengal & Ors.**

Mr. Abhrajit Roy Chowdhury
Mr. Aditya Ratan Tiwari
.....for the Petitioner

Mr. Abu Siddique Mallik
.....for the State

Mr. Sourav Paul
.....for the respondent No. 3

In Re: CAN 1 of 2024

The petitioner seeks recall of the order dated 2nd August, 2024 dismissing the writ petition for default.

I have perused the application for recalling and being satisfied with the reasons mentioned therein for non-appearance of the learned advocate on the day the matter was taken up for consideration by the Court, recall the order dated 2nd August, 2024.

The writ petition is restored to its original file and number. CAN 1 of 2024 is disposed of.

WPA 3960 of 2020

The writ petition was filed by the petitioner challenging the communication dated 27th September, 2019 by the Chairman, West Bengal Micro Small Enterprises Facilitation Council, terminating the conciliation process and by initiating the arbitration proceeding.

During the pendency of the writ petition, the arbitration proceeding concluded and an award was

passed by the arbitrator. The petitioner participated in the arbitration proceeding. The petitioner is aggrieved by the award passed.

The Court is of the opinion that as the arbitration proceeding was concluded upon hearing the parties, accordingly, it will be open for the aggrieved party to avail the provision for appeal as available in law. There is no point in keeping the instant writ petition pending.

The writ petition is, accordingly, disposed of.

The award dated 10th November, 2020 be retained with the records.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J)