

Item 1. 07-11-2024

sg Ct. 37

**In The High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side
Commercial Division**

FMAT (Arbaward) 41 of 2022

**CAN 1 of 2022
CAN 2 of 2022**

West Bengal Renewable Energy Development Authority
Versus
Vikram Solar Limited & Anr.

Mr. Arka Kumar Nag

...for the appellant

In Re: CAN 2 of 2022

1. This is an application for condonation of delay. There is a delay of 65 days in presenting the memorandum of appeal.

2. Sufficient cause being shown for not being able to file the appeal within period of limitation, the delay of 65 days in preferring the appeal is condoned.

3. CAN 2 of 2022 is, accordingly, disposed of.

In Re: FMAT (Arbaward) 41 of 2022 with CAN 1 of 2022

4. Mr. Arka Kumar Nag, learned Counsel appearing on behalf of the appellant, has placed before us a copy of the order dated 3rd June, 2023 passed by the learned Judge, Commercial Court at Rajarhat and submits that in view of the settlement arrived at between the parties, the application filed under Section 9 of the Arbitration and Conciliation Act, 1996 was

dismissed as withdrawn.

5. On perusal of the said order it appears that the application under Section 9 of the Arbitration and Conciliation Act, 1996 was dismissed as withdrawn.

6. In view thereof, this application is now become infructuous and dismissed as infructuous.

7. In view of the dismissal of the appeal, the application for stay being CAN 1 of 2022 also stands dismissed.

8. A copy of the order dated 3rd June, 2023 passed by the learned Judge, Commercial Court, Rajarhat is taken on record.

(Soumen Sen, J.)

(Ajay Kumar Gupta, J.)