

ORDER SHEET

AP/484/2023

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

KSS PETRON PVT. LTD.
VS
PUBLIC HEALTH ENGINEERING DEPARTMENT

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 2nd September, 2024.

Appearance:

*Ms. Ankita Upadhyay Agarwal , Adv.
...for the petitioner*

*Mr. Sirsanya Bandopadhyay, Jr. S.C.
Ms. Tapati Samanta, Adv.
...for the respondent*

The Court: The present matter was adjourned on several previous occasions, as it appears from the earlier orders. When the matter is called on for hearing today, an adjournment is sought by the petitioner. An impression is sought to be given that the Vakalatnama, obtained on change, could not be filed by the learned advocate for the petitioner till date.

However, from the previous orders, it transpires that on July 3, 2024 the learned advocate appearing for the petitioner also sought an adjournment.

Thereafter, on August 12, 2024, the same learned advocate sought for another adjournment, which was also granted by the Court.

Again, on August 21, 2024, when the matter was called on for hearing, although the respondent was represented, none appeared for the petitioner at the time of call.

Subsequently on August 27, 2024, the parties remained unrepresented. However, the Court, as a matter of grace, adjourned the matter for the day.

Even today, an adjournment is sought by the petitioner.

However, the matter cannot be permitted to linger on indefinitely, particularly since the same is an application under the Arbitration and Conciliation Act, 1996, the very premise of which is expeditious resolution of disputes.

In view of the above conduct of the petitioner, AP/484/2023 is dismissed for non prosecution with costs of Rs.20,000/- to be paid to the respondent within a fortnight from date.

(SABYASACHI BHATTACHARYYA, J.)