

Sl.26
04.09.2025
Court No.6
BP

C.O. 3232 of 2025

Indian Oil Corporation Limited
-versus-
Ashis Kumar Mallick

Mr. Puspendu Chakraborty
... for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the award holder praying for a direction upon the learned Additional District Judge, 1st Court at Alipore to dispose of Misc. Case No. 402 of 2016 expeditiously.

Mr. Chakraborty, learned advocate appearing for the petitioner submits that challenging an arbitral award the opposite party filed an application under Section 34 of the Arbitration and Conciliation Act, 1996 which has been registered as Misc. Case No. 402 of 2016. He submits that the said miscellaneous case is still pending.

In view of the order sought and proposed to be passed, there is no necessity to issue notice upon the opposite party. However, the learned advocate appearing for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party or upon the learned advocates representing the opposite party before the learned trial judge.

From the ordersheets appended to this application this Court finds that 21st June, 2025 was fixed for hearing of the miscellaneous case.

Mr. Chakraborty, learned advocate appearing for the petitioner submits that 6th September, 2025 has been fixed for hearing of the miscellaneous case.

In the light of the submissions made by the learned advocate for the petitioner, C.O. 3232 of 2025 stands disposed of by requesting the learned Additional District Judge, 1st Court at Alipore to take up the hearing of the Misc. Case No. 402 of 2016 on the next date fixed and make an endeavour to dispose of the same as expeditiously as possible but preferably by the end of January, 2026 without granting any unnecessary adjournments to either of the parties.

This order has been passed considering the fact that the miscellaneous case was filed under the provisions of Section 34 of the Arbitration and Conciliation Act, 1996 and is pending from the year 2016.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)