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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1603/2025& CM APPL. 52731-52733/2025**
JADAV CHANDRA DEY

.....Petitioner
Through: Mr. Dibyadyuti Banerjee, Adv.

versus

SUKANTO BARUA & ORS.

.....Respondent
Through: Mr. Mani Cinmoy, Mr. Ajay Tiwari,
Mr. Abhinav Akash, Advs.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
% **25.08.2025**

CM APPL. 52732/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. Petitioner is defendant before learned Trial Court who is aggrieved by dismissal of his application moved under Section 8 of Arbitration & Conciliation Act, 1996.
4. Learned counsel for respondents enters appearance on advance notice.
5. Learned Trial Court recorded that the abovesaid application had been moved after the right to file written statement had been closed.
6. Any such application under Section 8 of Arbitration & Conciliation Act, 1996 has to be moved quickly and well before the expiry of period

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prescribed for filing written statement. Since, there is belated filing, there cannot be said to be any illegality or perversity in the observations recorded by learned Trial Court.

7. After hearing some arguments, learned counsel for petitioner does not press the present petition and submits that he would move appropriate application before the learned Trial Court seeking liberty to file written statement.

8. Be that as it may, in view of above, the present petition is disposed of as not pressed.

9. All rights and contentions of parties are reserved.

10. Petitioner is always at liberty to move any such application and as and when the same is filed, learned Trial Court shall consider the same in accordance with law, after giving due opportunity of hearing to both the sides.

11. It is, however, made clear that this Court has not expressed any opinion on the merits of the proposed application.

MANOJ JAIN, J

AUGUST 25, 2025/ck/pb