

IA No. 03/2024
Arising out of
Arb.P. No. 01/2022

M/S MAHABIR PRASAD AGARWALA

APPLICANT (S)

VERSUS

UNION OF INDIA AND ORS.

RESPONDENT (S)

For Applicant : Ms. Pritima Sunam with Ms. Pema Dechen Bhutia,
Advocates.

For Respondent Nos. : Ms. Sangita Pradhan, Deputy Solicitor General of
1, 2, 3 and 4 India assisted by Ms. Natasha Pradhan, Advocate.

Date: 16/08/2024

CORAM:

HON'BLE MR. JUSTICE BISWANATH SOMADDER, CHIEF JUSTICE

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ORDER

This is an application taken out by M/s Mahabir Prasad Agarwala, seeking extension of the mandate of the learned Arbitrator — a retired Hon'ble Judge of the High Court at Calcutta — to make and publish an award in respect of the arbitration proceedings arising between M/s Mahabir Prasad Agarwala vs. Union of India, Boarder Roads Development Board, Ministry of Road Transport and Highway and Others, being a matter of Arbitration Petition No. 01 of 2022.

When the application is taken up for hearing, Ms. Sangita Pradhan, learned Deputy Solicitor General of India, hands over a copy of a letter dated 10th August, 2024, from the learned Arbitrator addressed to the Advocates-on-Record of the respective parties. The said letter reads as follows: -

"The Award in relation to the aforesaid arbitration proceedings will be made and published on 17th August, 2024 at 5.00 P.M., in my residential Chamber at P-29/3, Jyotish Roy Road, (Near Hindusthan Sweets, New Alipore), Kolkata-700 053.

You are requested to attend the aforesaid meeting along with your client/authorised representative of the client who should also carry the official Seal/Stamp."

It is submitted by the learned Deputy Solicitor General of India that in view of the said letter dated 10th August, 2024, the instant application is not required to be entertained by this Court since the mandate of the Arbitrator in terms of the order of this Court is valid until 01st September, 2024.

Having noticed the contents of the letter dated 10th August, 2024 (a copy whereof may be kept on record), this Court is of the view that no order is required to be passed in respect of the instant application, which stands disposed of accordingly.

(Biswanath Somadder)
Chief Justice

jk/avi