

(2024) 07 SIK CK 0012
In the Sikkim High Court
Case No : Arbitration Appeal No. 05 Of 2024

Ashok Pradhan

APPELLANT

Vs

National Highways And Infrastructure Development
Corporation Ltd. & Anr.

RESPONDENT

Date of Decision : 04-07-2024

Acts Referred:

Citation : (2024) 07 SIK CK 0012

Hon'ble Judges : Biswanath Somadder, CJ; Bhaskar Raj Pradhan, J

Bench : Division Bench

Advocate : A. Moulik, Ranjit Prasad, Laxmi Khawas, Gita Bista, Pratikcha Gurung, Dipendra Chettri

Judgement

Biswanath Somadder, CJ

Since no directions for filing of affidavits were given in this matter and more so because this is an Arbitration Appeal arising in respect of a judgment and order dated 10th October, 2023, passed by the learned Commercial Court at Gangtok, the first respondent, namely, National Highway and Infrastructure Development Corporation Limited (NHIDCL), seeks leave and is granted liberty to withdraw the suo motu affidavit filed before this Court.

Having heard the learned Advocates for the parties and upon perusing the impugned judgment and order dated 10th October, 2023, passed by the learned Commercial Court at Gangtok, we are of the view that a single issue/question of law is required to be considered in the present appeal. In such circumstances, we direct the Registry to call for the lower Court records and prepare the requisite number of paperbooks, which shall be circulated amongst the parties in due course of time.

Once the paperbooks are ready, the Registry shall have the appeal listed for hearing before this Court. The entire process of preparation of paperbooks, etc., shall be completed preferably within a period of eight (8) weeks from date.