

29.09.2021
KC(67)

F.M.A.T. 405 of 2021
Tapas Ganguly and Anr.
-versus-
Suman Bairagya
With
CAN 1 of 2021
(Via Video Conference)

Mr. Vikram Wadhera,
Mr. Soumava Ghosh.....For the appellants.

Mr. Jayanta Sengupta,
Mr. Sagnik Basu,
Mr. Subhrajyoti Dey.....For the respondent.

We admit the appeal. We propose to hear it out dispensing with all formalities.

It is from an order dated 12th April, 2021 of the learned court below made in an application under Section 9 of the Arbitration and Conciliation Act, 1996 by the appellant/respondent. An ex-parte ad-interim order of injunction, as prayed for, was granted.

We find on perusal of the order that the returnable date of the application was 5th May, 2021, after service.

The interest of justice would be served if the said application is disposed of expeditiously by the learned court below upon hearing the parties and by a reasoned order.

Provided the appellants make a proper application in terms of this order to the learned court below by 1st October, 2021 the said court will suitably

pre-pone the returnable date of the interim application so that it is in a position to consider the prayer for interim injunction in the presence of the appellant/respondent before the start of the Puja vacation or immediately thereafter if the business of the court does not permit the application to be taken up before the Puja vacation.

The appeal (F.M.A.T. 405 of 2021) and the connected application (CAN 1 of 2021) are disposed of.

(I.P. MUKERJI, J.)

(ANIRUDDHA ROY, J.)