

IA NO. GA/1/2021
IN APO/23/2021
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION

MD. SABIB SAIKH AND ANR.
VERSUS
M/S. CHOLAMANDALAM INVESTMENT AND FINANCE COMPANY LTD.

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date: 7th April, 2021.

(Via Video Conference)

Appearance:
Ms. Tutul Das Singh, Adv.
Mr. Amar Singh, Adv.
Ms. Pooja Sett, Adv.

The Court: Affidavit in opposition filed in Court be taken on record.

The appeal under Section 37 of the Arbitration and Conciliation Act, 1996
is taken up for consideration subsequent to the order dated March 11, 2021.

None appears for the appellant.

When the appeal was moved, by an order dated February 22, 2021, finding
that the vehicle was still with the appellant, it was directed that the appellant
should continue with the possession of the vehicle but on terms.

It is submitted on behalf of the respondent that the appellant did not
comply with the terms laid down in the order dated February 22, 2021.

Moreover, the respondent is not in a position to find out the whereabouts of the vehicle.

Since the appellants are un-represented, all subsisting interim orders are vacated. The respondent is at liberty to avail of its remedy in accordance with law.

IA No. GA 1 of 2021 along with APO 23 of 2021 are dismissed.

(DEBANGSU BASAK, J.)

sp/