

ORDER SHEET

AP/93/2021

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

TATA CAPITAL FINANCIAL SERVICES LIMITED
VERSUS
ASIT GHOSH AND ANR.

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date: 26th February, 2021.

(Via Video Conference)

Appearance:
Ms. R. Mall, Adv.

The Court: This application under Section 9 of the Arbitration and Conciliation Act, 1996, is being moved upon notice to the respondents.

Affidavit of service filed in Court be taken on record.

It appears from the materials made available on record that, the parties entered into an agreement dated August 28, 2017 under which the respondents availed of a loan facility amounting to Rs.35,75,000/-. The respondents availed of a moratorium. The loan account was restructured.

On query from the Court learned advocate appearing for the petitioner submits that the petitioner invoked the arbitration clause contained in the agreement. The learned Arbitrator by a letter dated February 10, 2021 informed

the petitioner that, the Arbitrator entered into reference. The learned Arbitrator directed filing of pleadings.

It appears from the contents of the letter dated February 10, 2021 of the learned Arbitrator that the first meeting of the Arbitrator is fixed on March 24, 2021.

The learned Arbitrator having entered into reference, the petitioner is entitled to approach the learned Arbitrator under Section 17 of the Act of 1996.

In such circumstances, AP/93/2021 is disposed of accordingly.

(DEBANGSU BASAK, J.)