

ORDER SHEET

AP 187 of 2020
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

SREI EQUIPMENT FINANCE LIMITED
VS
SEIRRA INFRAVENTURE PRIVATE LIMITED

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date: 8th March, 2021.

(Via Video Conference)

Mr. Swatarup Banerjee,
Mr. Saubhik Chowdhury,
Mr. Dripto Majumdar, Advs.
...for the petitioner
Mr. Rohit Das,
Ms. Kishwar Rahman, Advs.
...for the defendant

The Court: Report filed by the receiver be taken on record.

Learned advocate appearing for the petitioner submits that, the petitioner made a reference under Section 21 of the Arbitration and Conciliation Act, 1996. He submits that, since the disputes have been referred to arbitration, the petitioner be allowed to avail of its remedies under Section 17 of the Act of 1996 before the learned arbitrator. The Receiver be directed to abide by the direction of the learned arbitrator.

Learned advocate appearing for the respondent submits that, the reference is under challenge. Be that as it may, since there is a reference, it would be appropriate to observe that, the parties are at liberty to avail of their reference before the arbitral tribunal in accordance with law. The arbitral tribunal is at liberty to issue such direction on the learned Receiver as it deems fit and proper.

Since there is a reference pending, AP 187 of 2020 is disposed of.

All points raised are kept open.

(DEBANGSU BASAK, J.)

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