

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
(Via Video Conference)

AP/231/2020

SRI NAWALGARH VIDYALAYA COMMITTEE
VERSUS
JIVEM EDUCATION PVT. LTD. AND ORS.

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

Appearance:
Mr. Amritam Mondal, Adv.
Mr. Anil Chowdhury, Adv.
...for the petitioner

Mr. Rajesh Kr. Gupta, Adv.
Ms. N. Pal, Adv.
Mr. A. G. Mukherjee, Adv.
...for the respondents

The Court :- This application under Section 9 of the Arbitration and Conciliation Act, 1996 is taken up for consideration subsequent to the order dated January 6, 2021. There subsists an interim order dated September 10, 2020 valid till March 31, 2021.

The Court is informed that the petitioner invoked the arbitration clause and that the arbitration proceedings are pending. The learned arbitrator entered into reference. The petitioner filed statement of claim.

In such circumstances, since the arbitral tribunal is in seisin of the disputes between the parties, it would be appropriate to request the petitioner to approach the arbitral tribunal under Section 17 of the Act of 1996 for interim relief.

The interim relief dated September, 10, 2020 which is valid till March 31, 2021 is extended till April 30, 2021 or until further orders that may be passed by learned arbitrator. All points raised by the parties are kept open.

A.P. No. 231 of 2020 is disposed of accordingly.

(DEBANGSU BASAK, J.)

S.Bag.