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IN THE HIGH COURT AT CALCUTTA
Commercial Appellate Jurisdiction
ORIGINAL SIDE

APO No.78 of 2021
IA No. GA 1 of 2021

OCTAVIUS TEA AND INDUSTRIES LIMITED
Versus
KANOI TEA PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE SUBRATA TALUKDAR

AND

The Hon'ble JUSTICE HIRANMAY BHATTACHARYYA

Date : June 14, 2021.

Appearance

Mr. Surajit Nath Mitra, Sr. Adv.
Mr. Dhirendra Nath Sharma, Adv.
Mr. Supriya Ranjan Saha, Adv.
...Appellant

Mr. Ratnanko Banerji, Sr. Adv.
Mr. Debdtut Mukherjee, Adv.
Mr. K. Kejriwal, Adv.
Ms. S. Thard, Adv.
Mr. D. Dwivedi, Adv.
...Respondent

The Court : The respondent herein filed a petition under Section 9 of the Arbitration and Conciliation Act, 1996 seeking interim reliefs.

The Hon'ble Single Judge by the order impugned dated June 1, 2021 passed an order appointing a Receiver to supervise removal of the packages of tea from the godown of the appellant herein.

Being aggrieved against the said order dated June 1, 2021 passed by an Hon'ble Single Judge, the respondent in the application under Section 9 of the 1996 Act has preferred the instant appeal.

When the matter is taken up for hearing, learned Senior Counsels of the respective parties uniformly submit that the parties to the appeal have already settled their disputes and the parties have filed the terms of such settlement dated June 10, 2021, which is taken on record.

After hearing the learned Senior Counsels and upon perusal of the terms of settlement, the instant appeal along with the connected application as well as the application under Section 9 of the Arbitration and Conciliation Act, being AP No. 236 of 2021, are disposed of on the basis of the terms of settlement dated June 10, 2021. Let the terms of such settlement form part of this order.

The appeal being APO No.78 of 2021 along with GA No.1 of 2021 and AP No.236 of 2021 are all disposed of accordingly without, however, any order as to costs.

Urgent certified photocopies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(HIRANMAY BHATTACHARYYA, J.)

(SUBRATA TALUKDAR, J.)