

ORDER SHEET

AP/319/2021

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

SUSMITA PAL
VERSUS
CHOLAMANDALAM INVESTMENT AND FINANCE CO. LTD.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date: 21st December, 2021.

(Via Video Conference)

Appearance:
Ms. Shrayashee Das, Adv.
Mr. Jishnujit Roy, Adv.
...for the respondent

The Court: This is an application under Section 9 of the Arbitration and Conciliation Act, 1996.

None appears on behalf of the petitioner nor is any accommodation prayed for on her behalf even in the second call.

The respondent is represented and submits that the application is filed by an oblique and ulterior motive and the petitioner is fully aware that the subject vehicle has been sold in accordance with the agreement. In fact, it is submitted on behalf of the respondent that the petitioner was also offered the entire sale consideration after adjustment but the petitioner has refused the same.

I find from the earlier orders of Court that, the matter has been repeatedly adjourned on the ground of non-appearance of the petitioner, i.e., on 8th September, 2021, 11th November, 2021 and 14th December, 2021.

In view of the deliberate non-appearance of the petitioner, AP/319/2021 is dismissed for default.

Interim orders, if any, stand vacated.

(RAVI KRISHAN KAPUR, J.)