

ORDER

OD – 4 & 5

AP/400/2021
AP/401/2021
IN THE HIGH COURT AT CALCUTTA
ORIGINAL CIVIL JURISDICTION

PIYUSH TULSYAN AND ANR.
VERSUS
BIRLA TYRES LIMITED

BEFORE:
THE HON'BLE CHIEF JUSTICE PRAKASH SHRIVASTAVA
Date: 9th December, 2021.

[Via Video Conference]

APPEARANCE:

Mr. Rohit Banerjee, Advocate,
Mr. Arindam Paul, Advocate,
Mr. Altamis Alim, Advocate
.....for the applicants

Mr. Rajarshi Dutta, Advocate,
Mr. Debargha Basu, Advocate
.....for the respondent.

The Court:- Learned counsel for the parties have jointly submitted that the applicants had filed an application under Section 9 of the Arbitration and Conciliation Act, 1996 before the competent court wherein the order dated 18th November 2021 has been passed with consent of the parties directing the respondent to pay the consolidated amounts in three instalments which are to continue up to 30th April 2022. In view of this, they agree that at this stage, the dispute will not survive, but in case any default is done in making payment of instalments, the dispute may revive.

Having regard to the above development, APs are dismissed, however, with liberty to the applicants to take steps for revival of the same in case dispute arises in future.

(PRAKASH SHRIVASTAVA, C.J.)