

21.04.2022

Sl. 3

Ct.No. 03

Amalranjan

(Via Video Conference)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

FMAT (ARBAWARD)/17/2022

With

CAN/1/2022

With

CAN/2/2022

With

CAN/3/2022

Anjali Ghosh

Vs.

Rupa Roy (Chakraborty) & Ors.

(COMMERCIAL DIVISION)

Mr. Tanmay Mukherjee

Mr. Amal Kumar Saha

Mr. Souvik Das

Mr. Rudranil Das

Mr. Soumyadip Panda

...for the appellant

Mrs. Sohini Chakraborty

...for the respondent no.1

The distributorship agreement was between the Indian Oil Corporation and Mrs. Sohini Chakraborty's client, Smt. Rupa Roy (Chakraborty). It was for distribution of gas and other products of the Corporation. It has an arbitration clause.

Disputes have arisen between Rupa Roy (Chakraborty) and the Indian Oil Corporation.

The applicant Smt. Anjali Ghosh has an independent cause of action against Smt. Rupa Roy (Chakraborty).

It has no connection with the agreement between Rupa Roy (Chakraborty) and Indian Oil Corporation.

Moreover, the applicant is not a party to the said agreement.

It is true that this independent agreement between Smt. Anjali Ghosh has some effect on the performance of the other agreement. But that does not permit Smt. Anjali Ghosh to intervene in the arbitral proceeding between Smt. Rupa Roy (Chakraborty) and Indian Oil Corporation.

We do not grant leave to the applicant to intervene in this proceeding.

The application CAN 1 of 2022 seeking leave to file appeal is dismissed.

Consequently the other applications CAN 2 of 2022 and CAN 3 of 2022 are disposed of without passing any order.

The applicant is given leave to move an appropriate jurisdiction in respect of her alleged cause of action.

(Aniruddha Roy,J.)

(I. P. Mukerji,J.)