

11.08.2022
KC(8)

F.M.A.T. 298 of 2022
Subhrangshu Chattopadhyay and Anr.
-versus-
Sandvik Materials Technology
India Private Limited
With
CAN 1 of 2022

Mr. Partha Pratim Roy,
Mr. Dyutiman Banerjee.....For the appellants.

Mr. Sabyasachi Chowdhury,
Mr. Rajarshi Dutta,
Mr. Debarshi Dutta,
Mr. Ayush Kevlani,
Mr. Sarbajit Mukherjee,
Mr. Rahul Auddy.....For the respondent.

We admit the appeal. It is from an ex-parte ad-interim order of injunction dated 19th May, 2022 passed by the learned court below.

It is jointly submitted by learned counsel for the parties that subsequently the application for injunction appeared before the learned court below and affidavits have been exchanged.

In those circumstances, we think it fit and proper if the application is disposed of by the learned judge in the court below upon hearing the parties and by a reasoned order within three months from date of communication of this order.

We order accordingly.

We observe that there is no reason for any unnecessary apprehension on the part of the appellants inasmuch as the impugned order does not interfere with their right to carry on business but does prevent them from carrying on such business using the data, special business expertise, confidential information etc. of the respondent/plaintiff, which in our opinion is perfectly in order.

All points are kept open for adjudication by the learned court below.

The appeal (F.M.A.T. 298 of 2022) and the application (CAN 1 of 2022) are disposed of.

(I.P. MUKERJI, J.)

(SUBHENDU SAMANTA, J.)