

08.09.2022
SL No.25
Court No.8
(gc)

FMA 4560 of 2016
CAN 1 of 2016 (Old No: CAN 10324 of 2016)

M/s. Shaping Dreams Projects Pvt. Ltd.
Vs.
Standard Chartered Bank

This matter appeared in the warning list on 29th June, 2022 and continued to appear in the list until it was transferred to the daily cause list today.

The appellant is not represented nor any accommodation is prayed for on behalf of the appellant, although, the appellant has sufficient knowledge and notice of the listing of this matter.

The appeal is directed against an order refusing to pass an ad-interim order of injunction. In the suit, the appellant has challenged a decision of the respondent to declare the account as non-performing assets. Having regard to the nature of the dispute, we are inclined to hold that the learned Trial Court has rightly refused to exercise the discretion in favour of the plaintiff/appellant.

The appeal, accordingly, stands dismissed.

In view of dismissal of the appeal, the application also stands dismissed.

However, there shall be no order as to costs.

In the event, the said injunction application is still pending, we request the learned Judge, 7th Bench, City Civil Court, Calcutta to dispose of the said injunction application on merits at the earliest.

This order shall be immediately communicated by the office of the Registrar Administration (L&OM) to the learned Judge, 7th Bench, City Civil Court, Calcutta within one week from date.

(Uday Kumar, J.)

(Soumen Sen, J.)