

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

**FMAT (ARBAWARD) 4 of 2022
with
CAN 1 of 2022**

**Mr. Shyamal Roy & Ors.
Vs.
Mr. Subho Deep Roy**

Mr. Manas Roy, Advocate
...For the appellants

The appeal is directed against the Order No. 3 dated May 20, 2022 by which the Court exercising powers under Section 9 of the Arbitration and Conciliation Act, 1996 refused to pass an ad interim order.

In response to a query of the Court as to whether, the appellants initiated proceedings for the purpose of appointment of the Arbitrator, the answer is negative.

The learned Judge while passing the impugned order found no grave urgency to pass ex parte ad interim order of injunction. The petition under Section 9 of the Arbitration and Conciliation Act is pending.

The next date for hearing the application is June 20, 2022.

We do not find any ground to entertain the appeal against the impugned order as we do not find any ground of error in exercise of discretion by the

learned Judge in refusing to pass ex parte ad interim order.

FMAT (ARBAWARD) 4 of 2022 is, thus, disposed of. The connected application is also disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)