

ODC-2

AP/100/2020
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Via Video Conference)

SREI EQUIPMENT FINANCE LIMITED
VS
ADARSS NATURAL RESOURCES PRIVATE LIMITED

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 14th February, 2022.

Appearance:-

Mr. Paritosh Sinha, Adv.
Mr. Saubhik Chowdhury, Adv.
Mr. Debottam Das, Adv.
Mr. D. Majumder, Adv.
Mr. A.Sinha, Adv.

The Court:- This is an application under Section 9 of the Arbitration and Conciliation Act, 1996. The application was filed on 27th March, 2020. The matter had appeared on 2nd March, 2020 and 16th March, 2020. It is submitted on behalf of the petitioner that service has not yet been effected on the respondent.

In view of the fact that the application has been pending for more than two years, I am of the view that, no purpose would be served in keeping this application pending. The petitioner submits that the arbitration clause has not yet been invoked nor have any steps been taken to commence the arbitration proceedings.

I am of the view that it is pointless to keep this application pending any longer.

AP No. 100 of 2020 is dismissed. Liberty is granted to the petitioner to initiate appropriate proceedings, if so advised, in accordance with law.

(RAVI KRISHAN KAPUR, J.)

D.Ghosh