

IN THE HIGH COURT OF ORISSA AT CUTTACK

ARBA No.3 of 2021
(Through hybrid mode)

Aswini Kumar Sahu

....

Appellant

Mr. D.P. Nanda, Senior Advocate

-versus-

Manoj Prusty

....

Respondent

Mr. B. Bhuyan, Advocate

CORAM: JUSTICE ARINDAM SINHA

ORDER
11.07.2022

Order No.

5.

1. Mr. Nanda, learned senior advocate appears on behalf of appellant. He submits, his client had partnership with respondent. His client wanted to continue to participate in the partnership business since, even if there was dissolution, provisions, inter alia, in sections 45 to 48 entitle his client to continue to participate till there is complete dissolution and winding up the partnership. Learned Court below by impugned judgment dated 1st March, 2021 erred in not appreciating his client's contention by allowing interim measure restraining his client to so participate.

2. Mr. Bhuyan, learned advocate appears on behalf of respondent and on query from Court submits, his client will

furnish accounts as on date of impugned judgment as well as thereafter up to 31st March, 2022 and following every six months, till resolution of disputes by arbitration and dissolution notified. Mr. Nanda submits, that would serve his client's purpose.

3. Respondent will furnish accounts of the partnership business, as on date of impugned judgment and thereafter till 31st March, 2022, by two weeks from date. Respondent will continue to thereafter furnish account of business to appellant every following six months, till conclusion of the reference and directions for complete dissolution and winding up of the partnership.

4, Impugned judgment is varied to the extent above. The appeal is disposed of.

(Arindam Sinha)
Judge

Sks