

34 10.01.2023

Ct-08

FMAT 55 of 2015

**Qaiser Imam
Vs.
Tata Motors Finance Limited**

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The appeal is defective.

On 8th November, 2021 time was given to remove the defects notified by the stamp reporter dated 27.01.2015. The said defect has not yet been removed.

The appeal has arisen out of an order refusing to pass an order of injunction and having regard to the existence of arbitration clause in the agreement, we do not find any reason to interfere with the order passed by the trial court upon noticing the arbitration clause as it is barred by under Section 5 and 8 of the Arbitration and Conciliation Act.

In view of the above, the appeal fails and is accordingly dismissed.

There will be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)

