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IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AP/105/2023

BHARTI DEVI AND ORS.
VS.
ATULYA DIAGNOSTICS LLP AND ANR.

BEFORE :
THE HON'BLE JUSTICE SABYASACHI BHATTACHARYYA
Date : 8th May, 2023

Appearance :
Mr. Sarosij Dasgupta, Adv.
Ms. Pubali Sinha Chowdhury, Adv.
.....for petitioners

The Court : - Learned counsel for the petitioners, in his usual fairness, submits that the agreement in question is an unregistered and inadequately stamped document, which cannot be relied on for the purpose of seeking reference to arbitration as per the latest prevailing law.

Hence, the petitioners seek to withdraw the present application and to file a fresh suit on the self-same cause of action as involved in the disputes raised by the petitioners before the appropriate Court.

Accordingly, AP/105/2023 is dismissed as withdrawn, with liberty to the petitioners to file a regular suit before the competent Court having jurisdiction to take up the same on the self-same cause of action as raised by way of disputes for the proposed arbitration.

(SABYASACHI BHATTACHARYYA, J.)