

OD-8

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

AP/471/2023

MRINMOY MONDAL AND ANR
VS
M/S INDUSIND BANK LIMITED

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 1st August, 2023.

Appearance:

Mr. Dhillon Sengupta, Adv.

Mr. Anirban Ghosh, Adv.

...for the petitioners

Mr. Pratip Mukherjee, Adv.

Mr. Sayak Ranjan Ganguly, Adv.

Ms. Srijani Ghosh, Adv.

...for the respondent

The Court: Upon perusing the Government agreement between the parties, learned counsel appearing for the petitioners submits that the petitioners seek to withdraw the application on the ground that both the seat and venue of the arbitration is in Chennai.

AP/471/2023 is accordingly, dismissed as withdrawn.

However, since the present application was filed within 113 days which is within the statutory window of Section 34(3) of the 1996 Act read with proviso, the delay of 23 days is condoned.

The petitioners shall have leave to approach before the proper forum as prayed for.

(MOUSHUMI BHATTACHARYA, J.)

T.O.
A.R. (C.R.)