

01.02.2024
Ct. No. 19
Sl. No.186
Cp

C.O. No. 29 of 2024

Shalby Limited
Vs.
Ohio Cardiology Associates Private Limited

Mr. Anujit Mookherji
Mr. Prithish Chandra

... for the Petitioner.

The petitioner prays for expeditious disposal of the Arbitration Execution Case No.62 of 2021, which is pending before the learned Civil Judge (Senior Division), 1st Court, Barasat. It is submitted that the matter was kept for pronouncement of order but no such order has been passed. It is further submitted that proper hearing of the execution petition has not yet been held. The opposite party entered appearance on one occasion and, thereafter failed to appear.

The prayer of the petitioner is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite party.

Considering the submissions and without going into the veracity thereof, the revisional application is disposed of with a direction upon the learned court below

to dispose of the arbitration within six months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the case. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application, along with a server copy of this order be served upon the opposite party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below, within a week.

The revisional application is accordingly disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)