

Item No.1
19.11.2024
Court. No. 12
CP/GB

FMA 302 of 2004
With
CAN 2 of 2004 (Old No.CAN 1665 of 2004)

Sujit Kumar Shaw
VS
Richie Motors (P) Ltd.

*Mr. Joydeep Mishra,
Mr. Subhamoy Patra*

...for the Respondent.

1. The respondent is represented.
2. The department has filed a report. It appears that an administrative notice has been served upon the appellant. However, the appellant is not represented.
3. The appeal is arising out of an order dated November 18, 2003 in connection with an application under Section 9 of the Arbitration and Conciliation Act. The learned Judge has recorded that the petitioner has failed to pay the instalments and had acted in breach of the hire purchase agreement. The ad interim order is refused on that ground and the petitioner was directed to serve a notice upon the opposite party. This order was under challenge.
4. It is submitted on behalf of the respondent that the main matter has been disposed of in the meantime.
5. In any event, having regard to the nature of the order, we do not find any reason to interfere with the order.
6. Accordingly, the appeal and the connected application stand dismissed.
7. There shall be no order as to costs.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties on an urgent basis upon compliance of usual formalities.

(Soumen Sen, J.)

(Biswaroop Chowdhury, J.)