

14-03-2024
Item no.4 CD
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
(Commercial Division)

FMAT No.69 of 2024
Arpita Agro Product Private Limited
-vs-
ITC Limited
with
CAN No.1 of 2024

Mr. Prantik Gorai
Mr. Kaushik Das
Mr. Abhishek Sikdar
Ms. Antara Biswas ...for the appellant

Mr. Amit Kumar Nag
Mr. Partha Banerjee
Ms. Ranjabati Ray ...for the respondent

We admit this appeal.

This is an appeal from an ex parte decision of the learned court below dated 23rd February 2024 refusing to pass an interim order.

We are told that the returnable before that court is today (14th March 2024). The respondent is represented before us.

We are of the view that the ends of justice would be sub-served if the interim application is heard out by the learned court below in the presence of the respondent and by a reasoned order at all stages, including the motion stage.

The learned court below is requested to fix a returnable date, not later than seven days from date, and hear out the application from the motion stage keeping all points open without being influenced by the impugned judgement and order by which the interim order was refused.

The appeal and the stay application – FMAT No.69 of 2024 and CAN No.1 of 2024 – are thus disposed of.

[I.P. Mukerji, J]

[Biswaroop Chowdhury, J]