

26.11.2024  
SI No.13  
Court No.12  
(gc)

**FMAT (ARBAWARD) 19 of 2024  
CAN 1 of 2024  
CAN 2 of 2024**

**Bata India Limited  
Vs.  
M/s. Kohli Trading Company Pvt. Ltd. & Anr.**

Mr. Pranit Bag,  
Ms. Amani Kayan,  
Ms. Swastika Sengupta  
...for the Appellant/Petitioner.  
Mr. Pratip Mukherjee,  
Mr. Emon Bhattacharya  
...for the Respondents.  
Mr. Raja Ghosh,  
Mrs. Arpita Das (Jana)  
....for the Joint Special Officers.

1. The appellant has paid its share towards the remuneration of the Special Officers as per the earlier direction, however, the respondents have not fully paid the remuneration and undertake to pay the balance remuneration by 4.30 p.m. today.
2. Mr. Pranit Bag, learned Counsel appearing on behalf of the appellant has submitted that the appeal may be adjourned till January, 2025 within which time notice under Section 21 shall be issued and in view of the changed circumstances has prayed for discharge of the Special Officers. Similar prayer is made on behalf of the respondents for discharge of the Special Officers. The Special Officers shall stand discharged forthwith. In the event the

respondents fail to pay the balance remuneration by 4.30 p.m. today, liberty is given to the Special Officers to mention the matter and appropriate steps may be taken against the respondents for not complying with the direction passed by this Court.

3. This order shall also dispose of the order for recalling of the order by which the Special Officers have been appointed and if any expenses have been incurred by the respondents which they are supposed to incur.
4. It would be open for the respondents to make such claim in the arbitration proceeding and it would be open for the parties to initiate proceedings.
5. With the aforesaid observation, the appeal and the connected applications are disposed of.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

**(Soumen Sen, J.)**

**(Biswaroop Chowdhury, J.)**