

ORDER SHEET

EC/227/2015

IA NO. GA/1/2017 (Old No:GA/2342/2017),
GA/2/2018 (Old No: GA/3154/2018)

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

KOTAK MAHINDRA BANK LTD.
VS
SANGITA SINGH AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 7th August, 2024.

Appearance:

Ms. Shrayashee Das, Adv.

Mr. Himanshu Bhawsinghka, Adv.

Mr. Rohan Kumar Thakur, Adv.

...for the award-holder

Mr. Arun Shaw, Adv.

...for respondent nos. 1A, 1B, 1C

Mr. Abdus Salam, Adv.

...for respondent no.2

The Court: Affidavit-in-opposition filed today be kept on record.

Learned counsel for the award-holder submits, on instruction, that it has been ascertained subsequent to the passing of the award that the award was passed in the name of a dead person. Thus, the award was a nullity.

Accordingly, the award-holder does not want to proceed further with the present execution case and seeks leave to take out a fresh reference to arbitration.

Upon hearing learned counsel for the parties, EC/227/2015 is accordingly dismissed as withdrawn. GA/1/2017 (Old No: GA/2342/2017)

along with GA/2/2018 (Old No: GA/3154/2018) are also disposed of accordingly.

Leave is granted to the award-holder to take out a fresh reference to arbitration with regard to the disputes involved between the parties.

(SABYASACHI BHATTACHARYYA, J.)

bp/R.Bhar