

OCD-2

APOT/150/2024
with
EC/335/2023
IA No. GA-COM/1/2024

IN THE HIGH COURT AT CALCUTTA
In appeal from its
ORDINARY ORIGINAL CIVIL JURISDICTION
CIVIL APPELLATE JURISDICTION
(Commercial Division)

Kesoram Industries Limited Cement Division

Versus

Mintech Global Private Limited

Before:

The Hon'ble Justice I. P. MUKERJI

And

The Hon'ble Justice BISWAROOP CHOWDHURY

Date: 24th April, 2024.

Appearance:

Mr. S. N. Mookherjee, Sr. Advocate

Mr. Dhruba Ghosh, Sr. Advocate

Mr. Mainak Bose, Advocate

Mr. V.V.V. Shastri, Advocate

...for the appellant.

Mr. Suman Dutt, Advocate

Mr. Sirsanya Bandyopadhyay, Advocate

Mr. Avishek Guha, Advocate

Mr. Sohaam Kumar Roy, Advocate

Mr. Rahul Kumar Singh, Advocate

Mr. Subhajit Das, Advocate

Ms. Sonal Agarwal, Advocate

...for the respondent.

The Court: After dispensing with all formalities we have heard out the appeal.

We direct that all grounds urged in this appeal, including the maintainability of the execution application are kept open before the trial Court. While keeping the point of maintainability open, we grant leave to the respondent to rely on any previous order of this Court where the point of maintainability was considered and decided.

The above will not prevent the appellant from pursuing their application under Section 34 of the Arbitration and Conciliation Act, 1996.

The appeal (APOT/150/2024) and the application (IA No.GA-COM/1/2024) are disposed of.

As affidavits were not invited, the allegations in the stay application are deemed to be not admitted.

(I. P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)

A/s.