

OCD-2

ORDER SHEET
APOT/217/2024
IA NO: GA-COM/1/2024,
GA-COM/2/2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION
ORIGINAL SIDE

SHARMISTHA MUKHERJEE
VS
TATA CAPITAL FINANCIAL SERVICES LIMITED AND ANR

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date : 21st November, 2024.

Appearance:
Mr. Saurabh Guhathakurata, Adv.
Mr. Nilanjana Sarkar, Adv.
Mr. Abhratanu Sarkar, Adv.
. . .for the petitioner.

Ms. Sambrita B. Chatterjee, Adv.
. . .for the respondent.

The Court: GA-COM/1/2024 is an application for condonation of delay in filing APOT/217/2024. APOT/217/2024 is an appeal arising out of an order passed by the learned Arbitrator dated December 20, 2023 in arbitration case no.KC/2023/463.

Considering the grounds stated in paragraphs 17 to 19 of the application, this Court is satisfied that the petitioner was prevented by sufficient cause from preferring the appeal within the period of limitation.

GA-COM/1/2024 is allowed and APOT/217/2024 is registered.

In view of the settlement arrived at between the petitioner and the award-holder, nothing remains to be decided in the application being GA-COM/2/2024. Learned advocate for the award-holder accepts that the award has been adjusted. The award holder does not dispute any of these contentions, but accepts the same.

Under such circumstances, the interim directions passed in the order dated December 20, 2023 are set aside and the attachment and/or debit freeze of the bank account no.24410188029 maintained with Standard Chartered Bank, (IFSC Code. SCBL0036067) and any other bank account containing the Pan No. ALIPM4011C also stand set aside.

The appeal and all connection applications are disposed of.

(SHAMPA SARKAR, J.)

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