

OC-22

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

AP/720/2023

MAA SHARADA INFRASTRUCTURES AND ORS
VS
SIMPLEX INFRASTRUCTURE LIMITED

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 8th January, 2024.

Appearance:

Mr. Aritra Basu, Adv.

Mr. Abhik Chitta Kundu, Adv.

Mr. Sayantan Chatterjee, Adv.

Mr. Sumit Biswas, Adv.

Ms. Rajashree Bhowmick, Adv.

...for the petitioners

Mr. Danial Ahmed, Adv.

...for the respondent

The Court: Learned counsel appearing for the petitioners submits that nothing further remains in the application to be decided since the learned Receiver has already carried out the direction contained in the order dated 22nd November, 2023 and has taken possession of the petitioner's vehicles, machineries and equipments. The Court is informed that the learned Receiver's remuneration has already been paid.

The respondent is represented and the Advocate-in-Record submits that the respondent does not have any objection with the submission made on behalf of the petitioners.

AP/720/2023 is accordingly disposed of in terms of the above.

Counsel appearing for the petitioners also submits that the petitioners have already invoked the Arbitration agreement by its notice dated 5th September, 2023 and is in the process of filing an application under Section 11 of the 1996 Act. Considering the submissions made, let the interim order dated 22nd November, 2023 continue for six weeks or until further orders passed by the Tribunal, whichever is earlier.

The learned Receiver is discharged.

(MOUSHUMI BHATTACHARYA, J.)