

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

AP-COM/402/2024
[Old case no. AP/821/2023]
PRITHWIJEET SETH
VS
ANINDITA DASGUPTA AND ORS.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 2nd May, 2024.

Appearance:

Mr. Rachit Lakhmani, Adv.

Mr. Avishek Das, Adv.

Mr. Soubhik Dey, Adv.

...for the petitioner.

Mr. Sandeep Pd. Shaw, Adv.

Ms. Sangeeta Roy, Adv.

Mr. Chandra Prakash, Adv.

...for the respondent no1.

The Court: This is an application under Section 9 of the Arbitration & Conciliation Act, 1996. The petitioner seeks reliefs in respect of the partnership agreement dated 21 September, 2016.

By the said agreement the petitioner desired to become a mega celebrity star. It is submitted on behalf of the petitioner that pursuant to the aforesaid agreement the petitioner infused an aggregate sum of Rs.1,20,00,000/- in the firm as capital contribution. *Prima facie*, the firm appears to have done practically no business whatsoever. It is submitted on behalf of the petitioner that there is an amount of Rs.67,97,720.36/- only lying in the bank account of the said firm and the same is lying idle.

By an interim order dated 4 December, 2023 the respondent was restrained from operating the bank accounts in the name of the firm. The order is still continuing and has been extended from time to time.

It is submitted on behalf of the respondent that there is a claim of approximately Rs.66 crores payable to the respondent on account of loss and damages.

By an order dated 2 May, 2024 in the Section 11 application an Arbitrator has been appointed to resolve the disputes and differences by and between the parties.

The said firm had two bank accounts, one in HDFC being A/c No.50200032121481 and the other in SBI being A/c No.35840680965 being the proforma respondent nos.2 and 3 respectively.

The proforma respondent nos.2 and 3 are directed to transmit the said funds forthwith to the Registrar, Original Side of this Court who shall invest the same in a fixed deposit account in any nationalized bank until further orders of Court or the Arbitral tribunal.

Liberty is granted to both the parties to make all prayers in accordance with law before the Arbitral Tribunal.

With the aforesaid directions, AP-COM/402/2024 (Old case no.AP/821/2023) stands disposed of.

(RAVI KRISHAN KAPUR, J.)