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IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 2556 of 2024

With
CAN 1 of 2024

Mideast Integrated Steels Limited
Versus
Srei Equipment Finance Limited

Mr. Rohit Mukherji
Mr. Pankaj Agarwal
Ms. Champa Pal

... For the petitioner.

Mr. Swatarup Banerjee
Mr. Sariful Haque
Mr. Saubhik Chowdhury

... For the opposite party.

1. Affidavits of service filed in Court today are taken on record.
2. Though the matter had come up for consideration of an application praying for extension of interim order passed by a coordinate Bench of this Court on 24th July, 2024 and though on consideration thereof on 21st January, 2025 this Court had passed an interim order, however, before such order could be signed, on the same date, the learned advocate representing the opposite party had mentioned the matter intimating that they would like to withdraw their objection to the statement of defence being taken on record, and since the interim order was likely to delay the arbitral proceeding, hence sought for disposal of the matter. Since, the

challenge in the civil revisional application was for an acceptance of the statement of defence, and the interim order was likely to delay the disposal of arbitral proceeding the matter was posted for consideration under the heading “Extension of Interim Order” today. Having regard to the above, since, the matter has been taken up for consideration afresh, the unsigned order dated 21st January, 2025, stands recalled.

3. Today, it is submitted on behalf of the opposite party that they do not intend to oppose the present application, since the only grievance of the petitioner is with regard to the non-acceptance of the statement of defence.
4. Mr. Mukherjee, learned advocate appearing on behalf of the petitioner would submit that if the statement of defence is accepted, and the order dated 1st April, 2024 is set aside, the petitioner would have no further grievance.
5. Having heard the learned advocates appearing for the respective parties and considering the fact that the opposite party no longer wishes to oppose the acceptance of the statement of defence filed by the petitioner before the learned Arbitrator, I am of the view that no useful purpose will be served in keeping the aforesaid revisional application pending any further.

6. It appears that by an order dated 1st April, 2024, the learned arbitrator taking note of the objection raised by the opposite party had refused to accept the statement of defence filed by the petitioner. Since the objection raised by the opposite party has since been withdrawn, while setting aside the order dated 1st April, 2024, I direct that the learned Arbitral Tribunal may accept the statement of defence filed by the petitioner.
7. All further proceedings subsequent to the aforesaid order dated 1st April, 2024, including the order recording minutes of the meeting dated 19th June, 2024, by consent of the parties stands quashed.
8. The proceedings before the learned Arbitral Tribunal shall continue from the stage of filing of the statement of defence by the petitioner.
9. With the above observations and direction the revisional application stands disposed of.
10. There shall be no order as to costs.
11. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)