

05.12.2025
Ct. No. 06
Item 90
Cp

C.O. No. 3215 of 2025

Efcalon Tie Up Private Ltd.
Vs.
Startrack Agency Private Limited

Mr. S. Banerjee
Mr. Rajesh Upadhyay

.....for the petitioner.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the opposite party.

The petitioner prays for expeditious disposal of Arb. Execution Case No.07 of 2023, renumbered as Misc. Ex (Com) 37 of 2023, pending before the learned Judge, Commercial Court at Alipore.

It is submitted by the petitioner that despite an earlier order of the court dated April 3, 2024 in C.O. 2423 of 2023, the proceeding is still pending.

The prayer of the petitioner is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a request to the learned court to dispose of Arb. Execution

Case No.07 of 2023 along with all applications, if any, within six months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the execution case. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned trial court, within a week.

The revisional application is accordingly disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)