

03.09.2025
Item No.25
Court No.01
Nandita

**CALCUTTA HIGH COURT
In The Circuit Bench at Jalpaiguri
Appellate Side**

**FMAT (ARBAWARD) 5 of 2025
With
CAN 1 of 2025
With
CAN 2 Of 2025**

**Shamim Alam & Anr.
-VS-
Shriram Finance Ltd.**

Ms. Matan Chakraborty
.....for the Appellants

Mr. Sourav Guha Thakurata, (V.C)
...for the Respondent

The petitioner has challenged an interim order passed by the sole arbitrator. The petitioner contends that the order is vitiated as unilateral appointment of the arbitrator goes to the very root of the order. It is further submitted that there has been a delay in filing the appeal on the ground that the appellant was not informed about the arbitral proceedings.

We are of the view that this appeal is not maintainable under Section 37 of the Arbitration and Conciliation Act, 1996 before the Division Bench. This is not the Court authorized by law to hear appeals from the order of the arbitral tribunal.

Accordingly, the appeal being FMAT (ARBAWARD) 5 of 2025 and all connected applications stand dismissed.

This order will not preclude the appellant from taking recourse before the appropriate forum, in accordance with law.

(SHAMPA SARKAR, J.)

(PRASENJIT BISWAS, J.)