

**In the High Court at Calcutta  
In the Circuit Bench at Jalpaiguri**

10      **06.01.2025**  
         Ct. No.01  
         Sws.M

**FMAT (ARBAWARD)/2/2024  
With  
IA No. CAN 1/ 2024**

**Sanjay Bansal and Anr.  
-Vs.-  
G.D. Goenka Private Limited**

Mr. Suresh Kumar Mitruka  
Mr. Aayush Mitruka  
Ms. Shruti Yadav  
Mr. Sujit Swami

.....for the appellants

This is an appeal against an order dated 19 December, 2023 passed in an application under section 9 of the Arbitration and Conciliation Act, 1996.

None appears on behalf of the respondent nor is any adjournment prayed for on their behalf.

Affidavit-of-Service filed on behalf of the appellant be kept with the records.

In view of the fact that the interim order was passed as far back as on 19 December, 2023, there is no scope for interfering with this order at this stage of proceeding.

It is fairly submitted on behalf of the appellant that no steps have yet been taken for appointment of an Arbitrator in terms of the arbitration clause.

We clarify that in view of the fact that the impugned order is an interim order and the findings therein are tentative and *prima facie* in nature, the same would not be binding on the Arbitral Tribunal.

In view of the above, FMAT (ARBAWARD) /2/2024 stands dismissed.

***(Ravi Krishan Kapur, J.)***

***(Uday Kumar, J.)***