

OCD-2

ORDER SHEET

AO-COM/12/2025
WITH
APOT/57/2025
AP-COM/300/2024

IA NO: GA-COM/2/2025, GA-COM/3/2025

IN THE HIGH COURT AT CALCUTTA
Commercial Appellate Division
ORIGINAL SIDE

ANJANEE KUMAR LAKHOTIA
VS
SHRI MARUTI MAHESHWARI AND ORS

BEFORE:

The Hon'ble JUSTICE ARIJIT BANERJEE

AND

The Hon'ble JUSTICE OM NARAYAN RAI

Date : October 31, 2025.

Appearance:

Mr. Abhrajit Mitra, Sr. Adv.
Mr. Satadeep Bhattacharya, Adv.
Ms. Sriparna Mitra, Adv.
Ms. Pritha Basu, Adv.
Ms. Nairanjana Ghosh, Adv.
Mr. Debartha Chakraborty, Adv.
..for the appellant

Mr. Anuj Singh, Adv.
Ms. Trinisha De, Adv.
Ms. Ankita Baid, Adv.
Mr. Rupal Singh, Adv.
..for the respondents

Dictated by Arijit Banerjee, J.

The Court: An interim order was passed by a Co-ordinate Bench on March 3, 2025. That order continues till date.

Today, we are apprised that on the application made by the appellant herein under Section 11 of the Arbitration and Conciliation Act, 1996, a learned Judge of this Court has constituted an Arbitral Tribunal. The Tribunal has fixed November 14, 2025, as the date for the first sitting.

In view of constitution of the Arbitral Tribunal, we are not inclined to proceed with this appeal which is directed against an order vacating an ad-interim order.

The interim order that is in operation shall continue till the end of November, 2025 or until further order of the Arbitral Tribunal, whichever is earlier. The respondents herein would be at liberty to pray for vacating of the interim order before the Arbitral Tribunal. The appellant will be at liberty to pray for continuance of the interim order or for any other order, upon notice to the respondents.

The Arbitral Tribunal shall decide the issue of continuance or otherwise of the interim order independently, in accordance with law and without being influenced by the order of the learned Trial Judge and also uninfluenced by the fact that a Co-ordinate Bench of this Court had passed an interim order in the appeal.

As agreed by and between the parties, let this appeal and the connected application be treated by the Arbitral Tribunal as the appellant's application

under Section 17 of the Arbitration and Conciliation Act, 1996. If the Arbitral Tribunal deems it necessary, it may call for further pleadings from the parties.

AO-COM/12/2025 along with GA-COM/2/2025 and GA-COM/3/2025 stand disposed of.

(ARIJIT BANERJEE, J.)

(OM NARAYAN RAI, J.)

sg.