

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/477/2025
SREI EQUIPMENT FINANCE LIMITED
VS
PLACID MARKETING PRIVATE LIMITED AND ORS

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 19th June, 2025.

Appearance:

Mr. JishnuSaha, Sr.Adv.

Mr. Aditya Kanodia, Adv.

Mr. RachitLakhmani, Adv.

Mrs. Shreya Trivedi, Adv.

.... for the petitioner

Mr. AniruddhaMitra, Sr. Adv.

Mr. Anil Choudhury, Adv.

...for the respondents

The Court: Learned advocate-on-record for the respondents will furnish the addresses of all the respondents, to the learned advocate-on-record for the petitioner. Mr. Aniruddha Mitra, learned senior advocate submits that he has instructions only to appear on behalf of the respondent no. 1 He denies receipt of the notice invoking arbitration. He submits that the notice was sent to the respondent No. 2 at the wrong address. So far as respondent nos. 3 and 4 are concerned, service of the notice invoking arbitration has come back with the endorsement "left without instruction". Provisions of Section 3(1)(b) of the Arbitration and Conciliation Act, 1996 provides that a communication is

deemed to be made under the said Act, if it is sent to the addressee's last known place of business or habitual residence or mailing address.

However, in view of the formal defect in the notice and non delivery of the notice invoking arbitration at the addresses of the respondents, this application is dismissed as withdrawn with liberty to the petitioner to take appropriate steps.

(SHAMPA SARKAR, J.)

TR/