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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AP/157/2024
SWARNSATHI MARKETING PRIVATE LIMITED & ANR.
VS
TIRUMANI FLAT OWNERS ASSOCIATION & ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 13th November, 2025.

Appearance:

Mr. Sayak Chakraborti, Adv.

Mr. Wrickbrata Roy, Adv.

Mr. Iswar Das, Adv.

Mr. S. Chatterjee, Adv.

Mr. Nissar Mollah, Adv.

...for the petitioners

Mr. Siddhartha Lahiri, Adv.

Ms. Nivedita Mullick, Adv.

...respondent no. 1

Mr. Rishod Medora, Adv.

Mr. Debraj Dutta, Adv.

..for respondent nos. 2, 3 and 4

The Court: Upon perusal of the affidavit-in-opposition filed by the respondents, it appears that the petitioners have invoked the arbitration clause under the non-existent Articles of Association.

Under such circumstances, the application is treated as withdrawn with liberty to the petitioners to take appropriate steps on the self-same issue, upon proper invocation.

All points are left open.

(SHAMPA SARKAR, J.)