

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/740/2025

AMIT DAS
VS

CHOLAMANDALAM INVESTMENT AND FINANCE COMPANY LIMITED

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 18th September, 2025.

*Mr. Sankar Nath Mukherjee, Adv.
Ms. Manisha Paswan, Adv.
... for the petitioner.*

*Mr. Amar Singh, Adv.
Mr. Ranjit Singh, Adv.
Ms. Tutul Das Singh, Adv.
Mr. Pranit Biswas, Adv.
Ms. S. Mukherjee, Adv.
...for the respondent.*

The Court: As notice invoking arbitration has been issued and the vehicle has not yet been repossessed, this Court directs that the parties shall take steps for constitution of the Arbitral Tribunal in accordance with law. The respondent shall not take over possession of the vehicle for a period of three months or until further orders by the appropriate Tribunal, whichever is earlier. The petitioner is also at liberty to pray for further interim order before the learned Arbitrator which shall be decided in accordance with law. The petitioner will not alienate, transfer or change the nature and character of the vehicle.

It also appears that the petitioner had approached the respondent for settlement of the loan amount for an agreed sum. The respondent also submits that they had approached the petitioner.

In view of the above, parties are free to negotiate and if they fail to arrive at a settlement, they shall take steps for constitution of the Arbitral Tribunal in accordance with law. It is submitted that a notice invoking arbitration has already been sent to the petitioner, according to the learned Advocate for the respondent.

Liberty to the respondent to file the Vakalatnama within two weeks.

AP-COM 740 of 2025 is disposed of.

(SHAMPA SARKAR, J.)