

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/761/2025
RAHUL CHATTERJEE
VS
RABINDRA NATH GHOSH AND ANR.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 24th September, 2025.

Appearance:

Mr. Kushal Chatterjee, Adv.
Mr. Debraj Sahu, Adv.
Mr. A. K. Acharyya, Adv.
Ms. Moumita Das, Adv.
...for petitioner.

Mr. Sourojit Dasgupta, Adv.
Mr. Aniket Chaudhury, Adv.
...for respondents.

1. In view of the fair submission of Mr. Dasgupta that the petitioner will not be forcibly evicted from the premises in question, this Court directs that up to January 1, 2026, the petitioner may run the restaurant from the premises in question, provided all statutory compliances are fulfilled by the petitioner. The restaurant will comply with all legal and statutory mandate and formalities.
2. The petitioner submits that the notice invoking arbitration has been issued.

3. Under such circumstances, the petitioner shall take steps for constitution of the arbitral tribunal within the interim period.
4. This Court has not gone into the merits of the issues involved and the objections of the respondents with regard to termination, cancellation of the certificate of enlistment etc. are to be decided by the learned arbitrator.

(SHAMPA SARKAR, J.)

R. D. Barua / S. Kumar