

In the High Court at Calcutta

Civil Appellate Jurisdiction

Appellate Side

6 10.6.2026
Sc Ct. no.38

Case No. :

RVW 122 OF 2022

With

I.A. No. CAN 1 OF 2024

arising out of

FMAT (ARBAWARD) NO. 23 OF 2022

In the matter of : Indian Oil Corporation Ltd. & Anr.

.... Review Petitioners/
Applicants

VS.

M/S. Abhijit Enterprise

.... Respondent

For the Review Petitioners/Applicants:

Mr. Manwendra Singh Yadav

Ms. Saswati Chatterjee.

....Advocates

For the Review Respondent:

Mr. Tanmoy Mukherjee

Mr. Amal Kumar Saha.

....Advocates

This is an application for review of an order dated

May 10, 2022.

The order under review was passed in an arbitration appeal under **Section 37** of the **Arbitration and Conciliation Act**, which arose from an order passed by the jurisdictional civil court under **Section 9** of the **Arbitration and Conciliation Act**.

Mr. Tanmoy Mukherjee, learned Advocate appearing on behalf of the respondent, on instruction from his client, submits that, a short-term deposit of **Rs.4 lakh** (Rupees Four Lakh only) had been created with the **State Bank of India, Patulia Branch**, instead of **Standard Chartered Bank**, as directed in the said order

dated **May 10, 2022** but the Fixed Deposit is lying in the name of the appellants.

Learned Advocate for the respondent further submits that, the Fixed Deposit has been renewed from time to time and stands valid.

The order further provides that, the said term deposit will abide by any order to be passed by the arbitral tribunal or by any court of law.

On perusal of the grounds of review and on perusal of the materials on record we are of the firm view and considered opinion that, there is no scope for review of the said order dated **May 10, 2022**. There is no error apparent on the face of the record or on the face of the said order.

The respondent is directed to provide a copy of the **Fixed Deposit Certificate** along with evidence showing the **last renewal** thereof to the learned Advocate on record for the review petitioners/applicants **positively within a week** from date.

However, the review petitioners/applicants, Indian Oil Corporation shall be at liberty to take appropriate steps against the respondents to realize its claim, if the review petitioners/applicants are entitled to do so in law following the due process of law.

It is also made clear that, in the event it is found that, the Fixed Deposit has not been made or renewed, as submitted on behalf of the respondent, the review

petitioners/applicants shall also be at liberty to take steps in accordance with law.

With the above observations and directions, this application, ***RVW 122 of 2022*** and connected application, if any, stand ***disposed of***.

(Om Narayan Rai, J.)

(Aniruddha Roy, J.)