

ORDER

OCD-3

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/230/2025
NARHARI PRASAD K KOYA
VS
HARMILA N KOYA

BEFORE
HON'BLE JUSTICE GAURANG KANTH
Date: January 27, 2026.

Appearance:-
Mr. Satadeep Bhattacharyya, Adv.
Ms. Iram Hassan, Adv.
Ms. Yukti Agarwal, Adv.
...for petitioner.
Ms. Shrayashee Das, Adv.
Mr. Tridibesh Dasgupta, Adv.
Ms. A. Agarwal, Adv.
...for respondent.

The Court:- The Petitioner has preferred the present petition under Section 34 of the Arbitration and Conciliation Act, 1996 challenging the interim award dated 25.01.2025 passed by the Arbitral Tribunal, whereby the Petitioner was directed to adjust a sum of Rs. 5,68,426/- towards its share of profit while preparing the profit and loss account of the partnership firm.

Learned counsel for the Petitioner seeks leave to withdraw the present petition. It is submitted that during the pendency of the present proceedings, the parties have arrived at an understanding, in terms whereof the Petitioner has agreed to withdraw the present petition and the amount of Rs. 5,68,426/- deposited with this Hon'ble Court shall be shared between the Petitioner and the Respondent in the ratio of 30% and 70% respectively, at the time of final accounting of the partnership firm.

Learned counsel appearing for the Respondent submits that the aforesaid understanding has already been recorded before the Arbitral Tribunal by an order dated 17.05.2025. A copy of the said order has been produced before this Court and the same is taken on record.

In view of the aforesaid understanding, the present petition is dismissed as withdrawn. Liberty is granted to the Petitioner to withdraw the amount of Rs. 5,68,426/- lying deposited with the Registrar, Original Side of this Court, in terms of the understanding recorded before the Arbitral Tribunal vide order dated 17.05.2025.

(GAURANG KANTH, J.)

R. D. Barua