

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
Ordinary Original Civil Jurisdiction

AP-COM/427/2025

SUSHIL KHAITAN
VS
AJAY MITTAL AND ANR

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 24th March, 2026.

Appearance:
Mr. Deepan Kumar Sarkar, Adv.
Mr. Samriddha Sen, Adv.
Mr. Saugata Banerjee, Adv.
Mr. Diptesh Ghorai, Adv.
...for the petitioner.

The Court: This is an application under Section 9 of the Arbitration and Conciliation Act, 1996. The application was filed in May, 2025. By an interim order, a Co-ordinate Bench had directed “*Status quo will be maintained with regard to the assets. The assets which have allegedly been sold to Green Breach, will not be further alienated. The nature and character of the same shall not be changed.*”

It is fairly submitted by both parties that during the pendency of this application, a Sole Arbitrator has been appointed by virtue of an order dated 19 March, 2026.

In such circumstances, the pendency of this application does not serve any purpose. The interim order dated 22 May, 2025 stands confirmed for a one month from date. In the meantime, both parties are requested to approach the Arbitral Tribunal for appropriate interim reliefs.

It is made clear that the Arbitral Tribunal is free to adjudicate all questions without being influenced on the merits.

With the above directions, AP-COM/427/2025 stands disposed of.

(RAVI KRISHAN KAPUR, J.)

SK.