

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
COMMERCIAL DIVISION  
ORIGINAL SIDE

IA NO. GA-COM/1/2026  
In EC/174/2023

M/S CHOLAMANDALAM INVESTMENT AND  
FINANCE CO LTD  
Vs  
ANISUL RAHAMAN AND ANR

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 18<sup>th</sup> June, 2026.

Appearance

*Mr. Ranjit Singh, Adv.*

*Ms. Tutul Das Singh, Adv.*

*Mr. Amar Singh, Adv.*

*Ms. Subharchita Mukherjee, Adv.*

*... for award-holder*

*Ms. Jhuma Chakraborty, Adv.*

*Mr. Rahul Kumar Saha, Adv.*

*Mr. Menhaz Rahaman, Adv.*

*... for award-debtors*

The Court: Learned counsel appearing on behalf of the award holder seeks permission to withdraw the present execution petition on the ground that the award sought to be executed was rendered by a learned Sole Arbitrator who had been unilaterally appointed. It is submitted that, in view of the judgment dated 14.05.2026 rendered by this Court in EC-COM 334 of 2026, such an award is *non-est* in the eyes of law and is incapable of execution.

In view of the aforesaid submission, the present execution petition along with all connected applications are dismissed as withdrawn, with liberty reserved in favour of the award holder to initiate fresh arbitral proceedings before a duly and validly constituted Arbitral Tribunal, appointed in accordance with law.

(GAURANG KANTH, J.)