

OCD-1

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
COMMERCIAL DIVISION  
ORIGINAL SIDE

APOT/113/2026  
IA No. GA-COM/1/2026

JUHI FINALEASE PRIVATE LIMITED AND ANR.  
-Vs-  
EVERGREEN HOUSING PROJECTS PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

-AND-

The Hon'ble JUSTICE MD. SHABBAR RASHIDI

Date: July 8, 2026.

Appearance:

Mr. Mainak Bose, Sr. Adv.  
Mr. Apurba Kr. Ghosh, Adv.  
Mr. Rudranil Ghosh, Adv.  
...for the appellants

Mr. Ranjan Bachawat, Sr. Adv.  
Mr. Krishnaraj Thaker, Sr. Adv.  
Mr. Chayan Gupta, Adv.  
Ms. Tanish Ganarewala, Adv.  
Ms. Rishika Goyal, Adv.  
...for the respondent

The Court: Appeal is directed against order dated May 29, 2026 passed in AP-COM/411/2026.

The contention of the appellant is that, the impugned order does not contain any reason.

Learned Senior Advocate appearing for the appellant draws the attention of the Court to the merits of the matter. He submits that in the facts and circumstances of the case, no interim order was called for and that too ex parte ad interim.

Respondent is represented.

Court is informed that, the parties agreed to refer the disputes to an Arbitrator. Court is also informed that, the learned Arbitrator entered into reference of the disputes referred to such learned Arbitrator.

Parties are, therefore, in a position to approach the learned Arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996.

In such view, we are minded to refrain ourselves from commenting on the merits of the rival contentions of the parties. The parties are at liberty to approach the learned Arbitrator for appropriate relief.

Without pronouncing on the validity, sufficiency and legality of the order impugned before us, we deem it appropriate not to interfere with it for a period of 10 days from date.

We clarify that, this order of ours will not be construed in any manner whatsoever to pronounce on the merits of the rival contentions of the parties.

The learned Arbitrator is at liberty to decide on the petition under Section 17 of the Act of 1996, if filed by any of the parties, on merits, without being influenced by the order impugned or by this order.

APOT/113/2026 along with connected application are disposed of accordingly.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)