

ORDER SHEET

AP 165 OF 2017

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

*HINDUJA LEYLAND FINANCE LTD.*  
*Versus*  
*AVINANDAN MUKHERJEE & ANR.*

.....

BEFORE:

The Hon'ble JUSTICE ASHIS KUMAR CHAKRABORTY

Date : 8th November, 2017.

Mr. Siddhartha Banerjee, Mr. S. Bhattacharya,  
Mr. P. Biswas, Mr. A. Bhattacharjee...for petitioner.

The Court : It appears that on May 3, 2017, the petitioner had obtained an order from this court for appointment of Joint Receivers over the hypothecated asset when they were already in possession of the same. Further, there is nothing on record that the petitioner has taken any step for commencement of the arbitral proceeding within the period of 90 days as provided under section 9(2) of the Arbitration and Conciliation Act, 1996, as amended by Act 3, 2015 (in short "the Act of 1996").

For the reasons as aforesaid, the application AP No.165 of 2017 stands dismissed. All interim orders passed in this application stand vacated. Needless to mention, the Joint Receivers also stand discharged.

Let the report filed by the joint Receivers be kept on record.

Urgent certified website copies of this order, if applied for, be supplied to the petitioner upon compliance with all requisite formalities.

(ASHIS KUMAR CHAKRABORTY, J.)