

Misc. Case 10746 of 2025
Present: Sonia Majumdar, Ld Judge, Bench II (WB01128)

Order No.12 Dated 01-08-2026.

Today is fixed for show cause by OP1.
Petitioner files hazira.
OP1 is found absent without taking steps.
On repeated call, none appears on behalf of OP1.
Under such circumstances, the petition filed by the petitioner dated 13.11.2025 is to be heard exparte against OP1.
Now the petition filed by the petitioner is taken up for hearing.
Heard Ld. Advocate on behalf of the petitioner.
It appears from the record that the petitioner prays in his petition for non-prosecution of the instant Misc. Case as the case has already been referred to the arbitration proceeding and the Arbitral Tribunal has already been constituted.
Therefore, the prayer of the petitioner is considered and allowed.
Hence, it is

ORDERED

that the instant Misc. Case be and the same is dismissed for non-prosecution and the Ld. Receiver is discharged accordingly.

Dictated and corrected by me.

Sd/-
Judge
Bench-II

Sd/-
Judge
Bench-II