

Misc Case No. 13097 of 2025
Present : Saket Kumar Jha., (W.B. 01239)
Ld. Judge, Bench VII, City Civil Court, Calcutta.

Order no. 05 dated 06.05.2026

This day is fixed for filing requisites and Ld. Recivers Report.

Petitioner files hazira.

On perusal of the Case record it appears that ninety days as contemplated under Section 9(2) of the Arbitration and Conciliation Act, 1996(as amended in 2015) has long been elapsed. There is nothing to showthat the petitioner had invoked the arbitration proceeding in any manner. Section 9 of the Arbitration and Conciliation Act, 1996 being an interim measure, the order made thereunder cannot be extended unless there is invocation of Arbitration agreement in accordance with the statute within the period of 90 days from the date of the order. I find no reason to drag the present Misc. Case any further.

Hence, it is

ORDERED

That the instant Misc Case be and the same is dismissed under Section 9(2) of the Arbitration and Conciliation Act, 1996(as amended in 2015).

Receiver is discharged accordingly.

The possession of the subject vehicle be surrendered in favour of the Respondent/ OP if the possession has already been taken over by the Receiver.

Dictated and corrected by me

Judge(I/C), Bench-VII
City Civil Court, Calcutta

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