

In the Court of District Judge, South 24-Parganas

Misc. Case (Arb.) No. 34 of 2020

Present : Sri Abhijit Som (WB01127) District Judge,

South 24 Parganas at Alipore

Brew Tradecom Pvt. Ltd.

... Petitioner

Vs.

Arnab Sinha and Anr.

... Opposite Parties

Order No. 12, dated 13.12.2023

This is an application under section 9 of the Arbitration and Conciliation Act.

By filing an application dated 13.12.2023, Ld. Advocate on behalf of the petitioner prays for an interim measure in the manner of injunction so that the property in dispute may not be transferred to third party.

It is found from the memorandum of understanding, dated 29th September, 2012 that there was an arbitration clause in the Agreement.

It is the case of the petitioner that the company paid a total amount of Rs. 15 lakhs to the opposite party no. 1, but the O.P. is now denying to execute Deed of Conveyance in favour of the petitioner.

Having found a good prima facie case and balance of convenience and inconvenience in favour of the petitioner, this Court is of the view that an ad-interim injunction may be granted where irreparable loss is apprehended.

Hence,

it is,

ORDERED

that the prayer for an ad-interim injunction is allowed ex-parte.

The opposite parties are hereby, restrained by an ad-interim order of injunction from making any sort of transfer or alienation of the property under the arbitration agreement to any third party till **09.01.2024**.

Requisites at once.

The petitioner is to deliver to the opposite parties or to send to them by registered post immediately a copy of the application together with copy of

documents and also to file an affidavit by tomorrow stating that copies have been so delivered or sent.

Fix **09.01.2024** S/R and A/D.

Dictated & corrected by me

Sd/- Sri Abhijit Som

District Judge

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District Judge