

Present: Smt. Suparna Ray (JO Code:WB00711)
Judge, Commercial Court at Alipore
Misc Arb (Com) 112/2024
CNR No. WBSP18-000124-2024

Order No. 02

Date: 30.08.2024

In the matter of:

An application under Section 34 of the Arbitration and Conciliation Act, 1996.

AND

In the matter of:

Subrata Mukherjee.

Vs.

Protium Finance Limited.

Order

The instant matter is listed today by instigation of a put up application as filed by the petitioner, whereby the petitioner intends to move the applications being I.A. No. 01 of 2024 and I.A. No. 02 of 2024 today. The petitioner also files the affidavit of service of the same by way of firstly. Let the same be kept on record.

However, when the matter has been called for hearing, only petitioner has been appeared but after being repeated callings, none on behalf of the respondent has turned up.

At this stage, Ld. Counsel for the petitioner has been permitted to move the matter before this Court today.

However, during the mid-way of hearing of the petitioner, Ld. Advocate representing herself on behalf of the respondent has appeared before this Court by filing a vakalatnama and has submitted that she is not at all prepared to submit anything today as she received the emails attaching the copies of all the applications thereto on yester-night and her Senior is also in out of station. Therefore, Ld. Counsel appearing for the respondent has sought for some times to

file its objection to both the applications. More so, the Learned Counsel has also sought for leave to file Board Resolution on the next date.

Ld. Counsel for the petitioner has not tendered any objection to that effect.

It is pertinent to mention here that although the vakalatnama on behalf of the respondent has been filed but the same is not in proper form in accordance with the newly introduced e-filing portal.

Heard the Ld. Counsels for both sides.

Now, as the respondent has already appeared today therefore, for the ends of justice this Court is inclined to dispose of the instant applications after hearing of both sides.

As such, fix the matter on **09.09.2024 at 11:00 to 11:45 a.m.** for hearing of the applications being I.A. No. 01 of 2024 and I.A. No. 02 of 2024. Objection, if any, be filed in the meantime. The respondent is further directed to file vakalatnama in the proper form and the Board Resolution.

Dictated and corrected by me

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram.

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram.