

AD – 32  
Ct No.16  
03.08.2026  
(SSS)

FMA 814 of 2026  
with  
CAN 1 of 2026

Laxmi Niwas Daga  
Vs.  
Niwas Daga

Mr. D. N. Sharma, Sr. Adv.,  
Mr. Nilay Sengupta,  
Mr. Shailendra Jain,  
Mr. Sujit Banerjee

....for the appellant.

Mr. Rishab Karnani,  
Ms. Soni Ojha

....for the respondent.

1. Copies of the minutes of the meetings held between the Special Officer and the parties dated July 11, 2026, July 15, 2026 and July 28, 2026, filed in Court today, be kept on record.
2. At the time of call, the learned Special Officer points out to the Court that in the minutes dated July 28, 2026, it was clearly recorded that some of the payments regarding which the appellant sought approval were allowed by the learned Special Officer. Not only that, it is pointed out further that it is only the opinion of the respondent for which the learned Special Officer waited before taking a call on the disbursal

sought by the appellant, and not any consent as such.

3. We find from the minutes that although initially in the meeting dated July 11, 2026, it was recorded that the learned Special Officer shall seek “opinion and/or consent” from the other side, in the subsequent minutes of July 15, 2026 and July 28, 2026, a standard operating procedure was set by the learned Special Officer in presence of both the parties and certain essential disbursements, including GST payments, were also permitted by the learned Special Officer. As such, particularly in view of the clarification which we have already given earlier, no further order need be passed at this juncture.

4. The respondent shall file affidavit-in-opposition to CAN 1 of 2026 within a fortnight from date. Reply thereto, if any, shall be filed within a week thereafter.

5. Let the matter go out of the list with liberty to the parties to mention before the appropriate Bench taking up arbitration appeals for enlistment for the purpose of hearing of the appeal along with the application.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)