

05.03.2025

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Sl. No. 04

Ct. No. 01

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

AP 2 of 2025

Sri Mrinal Paul

-Versus-

Sri Utpal Paul & anr.

Mr. Subham Ghosh

Mr. Mayank Roy

..... for the petitioners

Though the petitioner has serve the copy of the instant application to the respondent No. 1 but there is no appearance on his behalf. The dispute pertains to the deed of partnership entered into between the petitioner and the respondent No. 1 and such deed contains an arbitration clause. Our attention is drawn to the Clause 22 of the deed of partnership as well as the notice raising the dispute in relation thereto to support that such dispute is amenable to be resolved through a private fora chosen by the parties.

I am of the view that though the service is effected upon the respondent but further opportunity must be given to him to respond to the averments made in the instant application and, therefore, directs the petitioner to effect the service afresh both by speed post as well as by courier and shall file the affidavit-of-service on the returnable date.

The application is made returnable on 10th March, 2025.

(Harish Tandon, J.)

