

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/316/2025

SHUBHAM CONSTRUCTIONS AND ORS
VS
ADINATH INVESTMENTS AND CONSULTANTS PRIVATE LTD

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 31st March, 2026.

Appearance

Mr. Rohit Banerjee, Adv.

Mr. Sagnik Mukherjee, Adv.

...for the petitioners

Mr. Mahendra Prasad Gupta, Adv.

Ms. Moumita Dhar, Adv.

...for the respondent

The Court: Learned Counsel for the respondent raises a preliminary objection that the present application under Section 11(6) is not maintainable on the ground that the same is barred by limitation.

Learned Counsel for the petitioner submits that the parties were engaged in efforts to arrive at an amicable settlement, which ultimately failed in January, 2026. He further submits that the petitioner now intends to pursue his remedies before the competent Civil Court.

In view of the aforesaid, and without entering into the merits of the case, particularly in light of the preliminary objection raised by the learned Counsel for the respondent disputing the petitioner's claims, this Court deems it appropriate to dispose of the present application by granting liberty to the petitioner to pursue his civil remedies in accordance with law.

In view of the same, learned Counsel for the petitioner seeks to withdraw the present petition.

The present application is dismissed as withdrawn.

(GAURANG KANTH, J.)

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