

OCD-12

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/1017/2025

PRAHLAD CHAND AGARWAL AND ANR.
VS
SKDJ SKY HEIGHT LLP AND ORS.

BEFORE:
THE HON'BLE JUSTICE GAURANG KANTH
Date: 19th January, 2026.

Appearance:

Mr. Swatarup Banerjee, Adv.

Mr. Deep Basu Mullick, Adv.

Ms. Mou Saha, Adv.

...for the petitioners

Mr. Jishnu Saha, Sr. Adv .

Mr. Rajarshi Banerjee, Adv.

Ms. Surnajana Chatterjee, Adv .

...for the respondent nos.1 to 12

Mr. Rajarshi Dutta, Adv.

Mr. Syed Moyeenul Arefin, Adv.

...for the respondent nos.13 to 16

The Court: The present application is filed under Section 9 of the Arbitration and Conciliation Act, 1996, seeking interim measures of protection, inter alia, an order restraining the respondents, their agents, representatives, and/or assignees from dealing with, alienating, transferring, encumbering, or otherwise creating any third-party right, title, or interest in respect of the immovable property situated at 125B, Buroshibtala Main Road, P.S. Behala, Kolkata, belonging to Respondent No. 1.

It is the case of the petitioners that the respondent nos. 2 to 16 in collusion with each other, forged the petitioners' signature and fabricated documents to show that the petitioners had resigned from the respondent no. 1 vide a resignation letter dated 28th September, 2015 and thereby fraudulently constituted a limited liability partnership on 29th September, 2015 wherein the petitioners were falsely shown as the outgoing partners.

It is further contended by Mr. Banerjee, learned Counsel for the petitioners that the respondents uploaded the said forged and fabricated documents on the MCA portal and proceeded to carry on the business through the newly constituted LLP without the knowledge consent or authority of the petitioners.

He further contends that the respondents are presently attempting to develop a new project on the land owned by the LLP.

He further states that the fraud committed by the respondents came to the knowledge of the petitioners only when the respondents undertook construction activities in respect of the new project in the month of November, 2025.

Mr. Saha, learned Senior Counsel appearing through virtual mode for respondent Nos. 1 to 12, submits that he is not in town and prays for an adjournment.

Let this matter be listed for further hearing on 20th January, 2026.

(GAURANG KANTH, J.)