

Ltd. Vs. Mohammad Iqbal Khan and ors.

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SooperKanoon Citation : sooperkanoon.com/1142764

Court : Kolkata

Decided On : Jun-05-2014

Judge : Sanjib Banerjee

Appellant : Ltd.

Respondent : Mohammad Iqbal Khan and ors.

Judgement :

IN THE HIGH COURT AT CALCUTTA Ordinary Original Civil Jurisdiction
ORIGINAL SIDE A.P.No.507 of 2014 M/S.TATA CAPITAL FINANCIAL SERVICES
LTD.-Versus MOHAMMAD IQBAL KHAN & ORS.A.P.No.508 of 2014 M/S.TATA
CAPITAL FINANCIAL SERVICES LTD.-Versus MOHAMMAD IQBAL KHAN &
ORS.A.P.No.510 of 2014 M/S.TATA CAPITAL FINANCIAL SERVICES LTD.-
Versus MOHAMMAD IQBAL KHAN & ORS.A.P.No.515 of 2014 M/S.TATA
CAPITAL FINANCIAL SERVICES LTD.-Versus MOHAMMAD IQBAL KHAN &
ORS.A.P.No.531 of 2014 M/S.TATA CAPITAL FINANCIAL SERVICES LTD.-
Versus MOHAMMAD IQBAL KHAN & ORS.Appearance: Ms.Sneha Sharma,
Adv...for the petitioner.

Mr.Priyankar Saha, Adv...for the respondent.

BEFORE: The Hon'ble JUSTICE SANJIB BANERJEE Date : 5th June, 2014.

The Court : Since the several agreements do not appropriately identify the assets covered thereby and the supplementary affidavits filed append copies of invoices

without indicating any link between the agreements and the invoices, no immediate order is called for.

The petitioner says that the arbitral references have commenced in Mumbai.

Advocate for the petitioner will furnish details of the arbitrator to advocate for the respondents in couRs.of this week.

Any notices issued by the arbitrator for filing pleadings may also be forwarded to advocate for the respondents.

The petitioner says that orders have been passed by the City Civil Court in suits instituted by the respondents, restraining the petitioner from interfering with the respondents possession of several assets.

It will be open to the petitioner to rely on the respondents complaints before the arbitrator in couRs.of any Section 17 proceedings that may be instituted before the arbitrator and the pendency of the suits before the City Civil Court or the subsistence of the orders therein will not stand in the way of the arbitrator passing appropriate orders in respect of the assets covered by the agreements.

AP No.507 of 2014, AP No.508 of 2014, AP No.510 of 2014, AP No.515 of 2014 and AP No.531 of 2014 stand disposed of without any order as to costs.

Urgent certified website copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(SANJIB BANERJEE, J.) bp.

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