

Arbitration Execution – 03/2023
CNR :WBBD17-000007-2023
JO Code : WB01311

Order No –09
Dated :27/07/2023

This day is fixed for further consideration.

Both the Award Holder & the Award Debtors file hazira.

Ld. Advocate for both the parties are present.

The Ld. Advocate for the Award Debtors produced a copy of the order dated 14/06/2023 passed in C.O. no. 1493 of 2023.

From the said order it appears that the Hon'ble Court had directed the Award Debtors to deposit the Bank Guarantee in the Ld. Court below on June, 2019, 2023.

The Hon'ble Court further directed that in the event the Bank Guarantee is deposited, the execution proceedings shall remain same. The Ld. Advocate for the Award Debtor submitted that in terms of the direction of the Hon'ble Court the Award Debtor on 19/06/2023 deposited the Bank Guarantee in the Commercial Court at Alipore. A copy of the order dated 19/06/2023 passed by the Ld. Judge, Commercial Court, Alipore in Misc. Case (Arb.) 10 of 2023 has been produced to substantiate the submission.

Having heard the Ld. Advocates & having considered that in compliance to the direction of the Hon'ble Court, the Award Debtor has already deposited the Bank Guarantee, and further considering the observation of the Hon'ble Court in C.O. 1493 of 2023 that the instant execution case shall remain stayed till the disposal of the Misc. Case (Arb.) 10 of 2023 pending in the Commercial Court, Alipore the instant Arbitration Case is adjourned sine die.

Parties are at liberty to mention for hearing after the disposal of Misc. Case (Arb.) 10 of 2023 pending in the Commercial Court, at Alipore.

D/C by me

Judge, Commercial Court
Asansol

Judge, Commercial Court
Asansol