

FORM OF ORDER SHEET
DISTRICT : COOCH BEHAR
IN THE COURT OF DISTRICT JUDGE, COOCH BEHAR

Present :- Sri Subrata Chandra Polle (WB01273)
District Judge, Cooch Behar

Money Execution No. 45 of 2023
(CNR No.WBCB01-002511-2023)

John Deere Financial India Pvt. Ltd. Vs. Goutam Das & 2 others

01
09-10-2023

An application in terms of section 36 of the Arbitration and Conciliation Act, 1996 is filed this day by the award holder John Deere Financial India Private Limited praying for realization of award dated 18-10-2022 passed by Sole Arbitrator K. Moorthy in Arbitration Case No. A.C.P. (CNICA-JDF) No. 125146/218 of 2022 with copy of the award.

Admit. Register the application as Money Execution Case.

The award holder is directed to produce the agreement containing arbitration clause for asserting whether or not the award is enforceable in terms of the judgement of the Hon'ble Supreme Court of India passed in **Perkins Eastman Architects DPC -versus HSCC (India) Ltd.** reported in **2020 (20) SCC 760**.

However, issue notice upon the judgment debtors through the process of the court as well as by registered or speed post at once. Requisites be filed within **10 days** from today to comply the aforesaid direction.

File original postal receipt and delivery status report downloaded from the official website of Indiapost supported by an affidavit of service.

The decree holder is directed to endorse a note in the summons to apprise the respondent regarding Legal Aid at a free of cost from District Legal Service Authority, Cooch-Behar as per prescribed norms.

In the event, requisites are filed, the same be issued after proper checking.

Inform accordingly.

To **11/01/2024** for service return, filing an affidavit of service along with the original postal receipt and delivery status report and appearance of the judgment debtor and hearing on the issue whether or not the award is enforceable in terms of section 36 of the Arbitration and Conciliation Act, 1996.

Dictated and corrected,

Sd/-
District Judge,
Cooch Behar.

Sd/- S.C. Polle
District Judge
Cooch Behar.