

Misc. Execution (Commercial) 02 of 2023

Order No.24

Date:05-07-2025

Today is fixed for hearing in terms of order no.23 dated 20.06.2025.

Award-holder takes step and is further duly represented by its Ld. Counsel.

Record is taken up for the purpose it is fixed today.

Heard Ld. Counsel for the award-holder. Perused the show cause reply, server copy of judgment of this court dated 23.05.2023 in Misc. Arbitration (Commercial) No.10 of 2022. Perused the petition dated 20.06.2025 supported by affidavit.

Show cause reply is found sufficient in the eye of law and the same is accepted.

As per petition dated 20.06.2025 filed in this court supported by affidavit no proceeding is pending against the present award. It further appears that following passing of the judgment dated 23.05.2023 the award-debtor has not taken any steps in preferring its application/petition under section 34 of the ACA, 1996 before the appropriate forum. Hence, as on this date there appears no impediment in proceeding with the execution proceeding.

Accordingly, the award-holder is directed to file the requisites at once.

Fix **22-07-2025** for SR.

Sd/-

(Subhadeep Ray)

Judge, Commercial Court, Siliguri

J.O. Code WB00949