

Misc. Ex (Com) – 1/2025
Sethi Constructions Vs Kolkata West International City Private Limited

Present :: Ishani Chakravarty Banerjee (J.O Code.WB00890)
Judge, Commercial Court at Rajarhat
North 24 Parganas.

CNR: WBNP19-000009-2025

07

12.12.2025

1. Today is fixed for appearance.

2. The learned Advocate for the Award-Holder appears and files hazira along with an Affidavit of Service enclosing an advocate's letter with the postal receipt affixed thereto and the postal track report, in compliance with the order dated 24.09.2025.

3. From the Affidavit of Service and the enclosed postal track report, it appears that service has been effected under Consignment No. **EW422251046IN**. However, no one appears for the Award-Debtor today.

4. Heard the learned Advocate for the Award-Holder.

This is an Execution Application filed by the Award-Holder under Order XXI Rule 11 of the Code of Civil Procedure, 1908, for recovery of a sum of **Rs. 2,66,94,455/-** (Rupees Two Crore Sixty-Six Lakh Ninety-Four Thousand Four Hundred Fifty-Five only), along with interest @ 8% per annum, as detailed under Column No. 11 of the Tabular Statement, in terms of the Arbitral Award dated 23.07.2018 passed by the Learned Sole Arbitrator.

The learned Advocate for the Award-Holder submits that although service of the earlier order has been effected, no steps have been taken by the Award-Debtor.

It is further submitted by the learned Advocate for the Award-Holder that he requires necessary instructions from his client regarding details of any immovable or movable property of the Award-Debtor.

On perusal of the materials available on record and considering the submissions made on behalf of the Award-Holder, the Award-Debtor is directed to file an **Affidavit of Assets** on the next date of hearing.

5. **Issue show-cause notice** upon the Award-Debtor with a direction to file an Affidavit of Assets disclosing the movable and immovable properties of the Award-Debtor-company on the next date of hearing.

The Award-Holder is directed to file requisites at once, and upon filing the same, issue at once.

6. The Award-Holder is also directed to inform this Court, by way of an affidavit, whether any Appeal or Stay Petition is pending in respect of the said Award before any Court or forum.

The Award-Holder shall communicate a copy of this Order along with the show-cause notice to the Award-Debtor forthwith, and file an Affidavit of Service to that effect by the next date.

7. Fix **22.01.2026** for appearance and filing of Affidavit of Assets by the Award-Debtor.

Sd/- Ishani Chakravarty Banerjee
Judge
Commercial Court,
Rajarhat, North 24 Parganas