

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

08

22.01.2026

1. Today is fixed for appearance and filing of the affidavit of assets by the Award-Debtor.
2. The learned Advocate for the Award-Holder appears and files hazira along with an affidavit of service enclosing an advocate's letter, the postal receipt affixed thereto, and the postal tracking report, in compliance with the order dated **12.12.2025**.
3. The learned Advocate for the Award-Holder also files an application, registered as **I.A. No. 01 of 2026**, praying for attachment of the bank account(s) of the Award-Debtor, along with an affidavit stating that no appeal or stay is pending in respect of the arbitral award sought to be enforced in the instant execution application. Copy has been served. Objection is raised by the learned Advocate for the Award-Debtor.
4. The learned Advocate for the Award-Debtor appears by filing a fresh vakalatnama enclosing a photocopy of the Board Resolution, without complying with the mandatory provision of e-filing of vakalatnama in e-file mode. The learned Advocate also files a show-cause petition in compliance with the earlier order dated **12.12.2025**, along with an adjournment petition praying for time to file the affidavit of assets. Copies have been served. Objection is raised by the learned Advocate for the Award-Holder.
5. Heard the learned Advocates for the respective parties.

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 in Column No. 11 of the tabular statement, in terms of the arbitral award dated **23.07.2018** passed by the learned Sole Arbitrator.

6. The learned Advocate for the Award-Holder submits that although service of the earlier order has been duly effected, no steps have been taken by the Award-Debtor and, despite appearing today, the Award-Debtor again seeks time to file the affidavit of assets. The learned Advocate for the Award-Debtor prays for an adjournment to comply with the order of this Court.

Considering the respective submissions of the parties, this Court is of the considered view that one further opportunity should be granted to the Award-Debtor. Accordingly, the Award-Debtor is directed to file the

affidavit of assets **positively**, failing which necessary orders shall be passed.

7. Since the vakalatnama filed today has not yet been e-filed in accordance with the mandatory online filing procedure, the Award-Debtor is directed to comply with the e-filing requirements and e-file the same **within five (5) days prior to the next date of hearing**.
8. Fix **07.02.2026** for appearance and filing of the affidavit of assets by the Award-Debtor.

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