

ARB. EXECUTION 527 of 2023

**Present: Sri Rajesh Tamang, A.D.J.,
3rd Court, Alipore**

Order No.04 dated 09.02.2024

Decree Holder (D.Hr.) is present by filing hazira.

Ld. Advocate on behalf of the D.Hr. moves the petition u/S-36 of the Arb. & Conc. Act on affidavit, stating that the J.Dr. neither preferred any application u/S-34 of the Arb. & Conc. Act challenging the arbitral award nor cleared their dues till date and as such the time for making any such application has already expired, thus the said award has become executable, and therefore prays for necessary order and direction upon the J.Dr.

Heard the Ld. Advocate. Considered.

Perused the case record and materials therein. It is seen that the award was passed in absence of J.Dr. on 30.04.2022. The date of the decree was **30.04.2022** and the instant execution proceeding was filed on 23.08.2023, i.e. within two years from the date of award. It satisfies the requirement of Order 21 Rule 11 of C.P.C as applicable.

Verification made.

Accordingly, the said prayer of the D.Hr. is allowed.

D.Hr. is directed to file requisites on the fixed date.

To **27.06.2024** for filing requisites.

D/Corrected by me.

Additional District Judge

Additional District Judge
3rd Court, Alipore
(WB00757)