

Present: Smt. Suparna Ray (JO Code:WB00711)
Judge, Commercial Court at Alipore
Misc Case (Arbitration) 15 of 2021
Renumbered as Misc Arb (Com) 23/2021
CNR No. WBSP18-000065-2021

Order No. 37

Date: 16.04.2025

In the matter of:

An application under Section 36 of the Arbitration and Conciliation Act, 1996 read with Order 21 Rule 11(2) of CPC, 1908.

AND

In the matter of:

Jaya Kar.

Vs.

The Union of India & 03 Ors.

Order

Today is fixed for further hearing and for taking necessary steps by the petitioner.

Both sides file their respective haziras.

Award holder files a fresh execution application and initially prays for attachment of the bank account of the award debtors as delineated in the instant application. Copy served.

On the other hand, award debtors file a petition stating that the award debtors have preferred an application for stay of the instant execution proceeding before the Hon'ble High Court at Calcutta and the said application has been scheduled on 21.04.2025 for hearing. As such, Ld. Advocate for the award debtors prays for adjournment in lieu of pendency of the appeal in context.

However, there is no order of stay on the instant proceeding obtained by the award debtors.

Rather, it appears from the Order dated 21.01.2025 passed by the Hon'ble High Court at Calcutta in connection with C.O. 4099 of 2024 that the Hon'ble Court directed this Court to make all endeavor to dispose of the instant execution proceeding within a period of three months from the date of

the passing of the Order dated 21.01.2025. Therefore, inasmuch as there is no any order of stay on the instant proceeding, so in view of the aforesaid direction of the Hon'ble Court this Court proceeds with the instant application.

Heard the Ld. Advocates for both sides.

Fix the matter on 21.04.2025 at 10:45 a.m. for further hearing of the parties.

Parties to act on the basis of the downloaded copy of this Order.

Dictated and corrected by me

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram.

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram.