

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. 49
12.09.2025

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.
In the matter of:
The Union of India & 3 ors.

ORDERED

Today is fixed for hearing of the instant execution case and also for hearing of I.A. No.03/2025. Today is also for filing status report of the case pending before the Hon'ble High Court and to file documents showing whether there is any order of stay passed by the Hon'ble Court in respect of the proceeding of the instant execution case. And, also for filing calculation of claim by the award holder.

Both the award holder and the award debtors file their respect haziras.

In view of the direction given by this Court on 25.08.2025, the award holder files a calculation of its claim. Let the same be kept on record.

Award holder also files written notes of argument in respect of I.A. No. 03 of 2025 as filed by the award debtors under Section 47 of the Code of Civil Procedure, 1908. Let the same also be kept on record.

Award holder also files a copy of the decision of the Hon'ble Supreme Court of India in Paramjeet Singh Patheja vs. The ICDS Limited reported in AIR 2007 Supreme Court 168 by way of firisty. Let the same be kept on record.

On the contrary, a petition is filed today on behalf of the Award Debtor with a prayer of time on the ground of pendency of A.P No. 71 of 2025 (G.A No. 02 of 2021) before the Hon'ble High Court. Along with this petition, the copy of the letter of Ld Advocate and the copy of the order of the Hon'ble High Court has been filed.

Perused the same.

It is pertinent to be stated herein that there is no order of stay of the Hon'ble High Court on the proceeding of the instant case pending before this Court.

However, for the ends of justice, the award debtors are directed to file their calculation in respect of claim on the next date as fixed hereunder positively.

Fix on **17.09.2025 at 3:15 p.m** for hearing of I.A. No. 03 of 2025, consideration of the claim amount in this execution and further order.

The award debtors are also directed to file their calculation of claim of the award holder on the date fixed positively.

The award debtors are also directed to file written notes of argument in respect of I.A. No. 03 of 2025 on the next as fixed above.

Parties to act accordingly with the downloaded copy of order sheet from Ecourts App/Website.

Dictated & corrected by me,

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*