

IN THE COMMERCIAL COURT AT ALIPORE

Present:

The Judge Smt. Suparna Ray (JO Code:WB00711)

Misc Execution (Com) 65 of 2024
CNR No. WBSP18-000161-2024

M/s. Roop Construction Company

.....Award Holder

vs.

Union of India.

.....Award Debtor

Order No. 08

Date: 01.12.2025

Today is fixed for hearing of I.A. No. 04 of 2025 and also for filing written objection to the said application, if any, in the meantime.

Both parties file their respective haziras.

Award debtor also files an application today for modification of the Order no. 7 dated 09.09.2025. Let the said application be registered as I.A. no. 05 of 2025 and the same be kept with the record.

Now, the record is taken for hearing in respect of I.A. No. 04 of 2025.

From the purport of the said application, it appears that the award debtor herein has filed the instant application praying for stay on operation of the impugned award subject to secure of awarded amount before this Court.

However, on the eve of hearing, it appears that the award debtor herein has also filed a misc case being registered as Misc Arb. (Com) 106 of 2024 before this Court under Section 34 of the Arbitration and Conciliation Act, 1996

for setting aside the impugned award and in the said proceeding an application being registered as I.A. No. 01 of 2024 has also been filed under Section 5 of the Limitation Act, 1963 seeking for grant leave to file the said Misc Case under Section 34 of the 1996 Act, which is pending for adjudication. It is also to be stated that an application praying for stay on operation of the said impugned award is also pending in the said misc case.

Therefore, at this stage, learned Advocates for both sides have submitted that the said application being I.A. No. 01 of 2024 is pending in Misc Arb. (Com) 106 of 2024, which needs to be adjudicated first.

Hence, in view of above and for ends of justice, the instant case is hereby adjourned today.

Accordingly, fix the matter on **23.12.2025 at 10:45 a.m.** for further order.

Parties to act on the basis of the downloaded copy of the order sheet from the website/E-court App.

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.