

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE NINTH DAY OF SEPTEMBER,

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

CRP NO: 1786 OF 2024



Between:

M/s.Bharat Heavy Electricals Ltd., (Heavy Plates & Vessels Plant) (A Government of India Undertaking, incorporated under the Corporation Act, 1956), with its Registered Office and Plant at Visakhapatnam, represented by its Executive Director.

...Petitioner/J.Dr

AND

M/s:Ruksan Engineers Pvt. Ltd., represented by its Executive Director, N.C. Gupta, Lot No.85/20, IDA, D-Block, Autonagar, Visakhapatnam-12.

...Respondent/D.Hr

Petition under Article 227 of the Constitution of India is filed praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the order, dated 07.12.2023 passed in C.E.P.No.12 of 2020 in AOP No.1451 of 2011 by the learned Special Judge for Trial and disposal of Commercial Disputes, Visakhapatnam, in the interest of justice;

IA NO: 1 OF 2024:

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the civil revision petition, the High Court may be pleased to grant stay of all further proceedings in C.E.P.No.12 of 2020 on the file of the Court of Special Judge for Trial & disposal of Commercial Disputes, Visakhapatnam, pending disposal of CRP No.1786 of 2024, on the file of the High Court.

Petition coming on for hearing, upon perusing the Petition and the memorandum of ground filed in support thereof and the earlier order of the High Court dt.13.08.2024 made herein and upon hearing the arguments of Sri P.Rajasekhar, Advocate for the Petitioner, and of Sri S.RAJAN, Advocate for the Respondent, the Court made the following

ORDER:

“Memo has been filed by the learned counsel for the petitioner. He submits that in terms of the interim order dated 13.08.2024, the petitioner has deposited the amount by way of demand draft before the execution Court, subject to which the execution proceedings were stayed.

Sri S.Rajan, learned counsel appears for the respondent and submits that he has instructions to appear in the matter and file vakalath by tomorrow. He further prays time to file counter-affidavit.

Post on 16.10.2024.

As, the petitioner has complied the terms of the interim order dated 13.08.2024, the execution proceedings shall remain stayed.”

Sd/- U: SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The learned Special Judge for Trial and disposal of Commercial Disputes, Visakhapatnam.
2. The Executive Director, M/s.Ruksan Engineers Pvt. Ltd., N.C. Gupta, Lot No.85/20, IDA, D-Block, Autonagar, Visakhapatnam-12. (by RPAD-along with a copy of petition and memorandum of grounds)
3. One CC to Sri. P.Rajasekhar, Advocate [OPUC]
4. One CC to SRI S.RAJAN, Advocate [OPUC]
5. Two spare copies

ER

HIGH COURT

RNT,J

&

VN,J

DATED:09/09/2024

POST ON 16.10.2024

ORDER

CRP.No.1786 of 2024

STAY

