

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Arbitration Appeal No.16 of 2022

South Eastern Coalfields Limited **Versus** M/s Sri Balaji Metals & Minerals Pvt.
Ltd.

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Hon'ble Shri Sanjay K. Agrawal and
Hon'ble Smt. Rajani Dubey, JJ.

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13/05/2022	Mr. Abhishek Sinha, Senior Advocate with Mr. Pankaj Singh, Advocate for the appellant. Mr. Ankit Pandey, counsel for the respondent/caveator, on caveat. Heard on I.A.No.2/2022, application for exemption from filing certified copy of the impugned order dated 22-3-2022. I.A.No.2/2022 is rejected as typed copy has been filed. Typed copy be placed on record at appropriate place and the same be replaced by certified copy. Also heard on admission. The appeal being arguable is <u>admitted</u> for hearing. Issue notice to the respondent. Mr. Ankit Pandey accepts notice. Also heard on I.A.No.1/2022. Learned Senior Counsel appearing for the appellant would submit that an award of ₹ 10,45,65,360/- has been passed and execution has been levied which is pending consideration before the Commercial Court and as such, since there is legal perversity in the impugned award, it is liable to be stayed with immediate effect which is seriously opposed by learned counsel appearing for the respondent / caveator stating that the appellant is not entitled for any relief relying upon the decision of the

	Supreme Court in the matter of <u>Punjab State Civil Supplies Corporation Ltd & another v. M/s Ramesh Kumar and Company & others</u>¹. Issue notice on I.A.No.1/2022. Mr. Ankit Pandey accepts notice. Though before admission of appeal, short reply to the memo of appeal has been filed by the respondent who appears on caveat, but considering the nature of dispute, the respondent is granted ten days' time to file additional reply to the application I.A.No.1/2022 and thereafter, I.A.No.1/2022 will be considered. Counsel for the appellant is directed to file proper paper book in accordance with the rules after consultation with the respondent qua the relevant documents to be included in the paper book. List immediately after summer vacation, as this Court shall remain closed for summer vacation from 16-5-2022 to 10-6-2022. However, the appellant is at liberty to mention during summer vacation if exigency so arises. Certified copy as per rules. Sd/- (Sanjay K. Agrawal) Judge Sd/- (Rajani Dubey) Judge
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¹ Civil Appeal No.6832/2021, decided on 13-11-2021