



HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

WP227 No. 853 of 2025

M/S Ubv Infrastructure Limited & Ors. **versus** Sundaram Finance Limited & Anr..

08/01/2026	Shri Hemant Kumar Gupta and Shri Shakti Kumar Tiwari, Advocates for the petitioner. Shri Sunil Otvani, Senior Advocate assisted by Shri Deepak Sharma, Advocate for the respondent No. 1. None appeared for the respondent No.2 despite of service. This writ petition has been filed assailing the impugned order dated 31/07/2025 passed by the Presiding Officer, Commercial Court, Naya Raipur (C.G.) in Execution Case No. 17/2023 by which an application (I.A. No. 2/2025) filed before the Commercial Court, Naya Raipur (C.G.) sending the petitioners to civil jail was allowed. The respondent No.1 filed an execution proceedings for enforcement an award dated 16/12/2022 by which the the following order was passed :- “In the result, an award is passed, a sum of Rs.1,23,58,226.74paise less Rs.9,49,600/- directing both the respondents to pay the

claimant, jointly and severally along with further interest i.e. 18% per annum from 30.10.2021 till this date and at the same rate from this date till the date of realization with cost. Further, the respondents are also directed to pay interest at same rate of 18% on Rs.1,23,58,226.74 paise from 19.07.2021 till 29.10.2021. The costs include the Arbitrator's fee of Rs.5,000/- his expenses of Rs. 1000/- and value of Non-judicial stamps Rs. 200/- for engrossing this award.”

It is brought to the notice of this Court against the award so passed no further legal remedy was availed by the petitioners.

Learned counsel for the petitioners submit that the petitioners are not shying away to comply the award so passed, however, due to some financial constraints, in one go they are not in a position to pay the entire sum of amount as awarded. They further submit that at present, the petitioners have also intended to pay Rs. 25,00,000/- (Rupees Twenty Five Lakhs only) by way of two cheques dated 10/01/2026 each of Rs.12,50,000/- and within a short span of time, some substantial amount would also be paid, thus some breathing time may be granted and till then the petitioners shall not be sent to civil jail.

Learned Senior Advocate appearing for respondent No.1 submits that the petitioners may hand over the cheques

to him in the Court and the matter may be listed after 15 days for further payment of an amount in compliance of the award.

Today, a Cheque bearing No. 001381 dated 10/01/2026 (Rs.12,50,000/-) and Cheque bearing No. 001382 dated 10/01/2026 (Rs.12,50,000/-) of Chhattisgarh Rajya Gramin Bank, Branch - Amilidhi is handed over to the learned counsel for the respondent No.1 who acknowledge the same. Learned counsel for the petitioners submits that after 15 days a substantial amount would further be paid to respondent No.1.

As prayed, list it on **27th January, 2026**.

It is expected that respondent No.1 shall not harp upon to proceed against the petitioners for sending them to civil jail only till **27th January, 2026**.

**-Sd/-
(Sachin Singh Rajput)
Judge**