



ODC-7

ORDER SHEET  
IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE  
[Via Video Conference]

IA NO.GA/1/2022  
In AP/1/2022

KESSELS ENGINEERING WORKS PVT. LTD.  
Versus  
NEO METALICKS LIMITED

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 14<sup>th</sup> February, 2022

*Appearance:*  
*Mr. Jishnu Saha, Sr. Adv.*  
*Ms. Sulagna Mukherjee, Adv.*  
*Ms. S. Baid, Adv.*

The Court:- This is an application under Section 36(2) of the Arbitration and Conciliation Act, 1996 ("the Act"). It is submitted on behalf of the petitioner that the award dated 22<sup>nd</sup> July, 2020 ("the award") had been passed in violation of the provisions of the Arbitration and Conciliation Act, 1996 and is also a nullity insofar as the making of the award is concerned.

In view of the serious allegations made by the petitioner, as prayed for by the respondent liberty is granted to the respondent to file their Affidavit-in-Opposition.

Let the Affidavit-in-Opposition be filed within a period of one week from date. Reply thereto, be filed three days thereafter.



It appears that the petitioner had filed an execution petition being EC No. 143 of 2021. In view of the pendency of this application and the serious allegations made by the petitioner as well as the prayer of the respondent, it is made clear that no further steps would be taken in EC No. 143 of 2021 till the disposal of this application.

Liberty is granted to the petitioner to file a supplementary affidavit. Needless to mention that the respondent will also deal with the supplementary affidavit in the Affidavit-in-Opposition proposed to be filed.

Let the Affidavit-in-Opposition be filed within one week from date. Reply thereto, be filed within a week thereafter.

Let this matter appear on 21<sup>st</sup> March, 2021.

(RAVI KRISHAN KAPUR, J.)