

ORDER SHEET

EC/66/2023

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

M/S. BASAB DUTTA ENGINEER AND CONTRACTOR
Versus
GENERAL MANAGER, EASTERN RAILWAY AND ANR.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 6th July, 2023.

Appearance:

Mr. Madan Mohan Roy, Adv.
Mr. Arindam Samanta, Adv.
Mr. Haripada Nayak, Adv.
...for the petitioner

Ms. Aparna Banerjee, Adv.
...for the respondent

The Court: The last order passed by this Court on 19th June, 2023 records that Rs.27,30,280.50 remains to be paid by the respondents award-debtors to the petitioner.

Learned counsel appearing for the award-debtors had sought for 15 days to pay this amount to the petitioner.

Counsel submits today that this amount could not be paid since the petitioner did not sign the final bill and failed to submit the final escalation bill. Counsel also refers to the tabulated statement in paragraph 26.0 of the

impugned Award stating that the award-debtor is willing to pay claim nos. 1 and 7 to the petitioner or the actual amount arrived at by the price variation clause.

List this matter on 14th July, 2023.

The petitioner shall take the required steps in the meantime.

It is made clear that the respondent will release the amount recorded in the order dated 19th June, 2023 to the petitioner upon completion of the formalities.

(MOUSHUMI BHATTACHARYA, J.)

kc.