

OCD-6

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
(Commercial Division)
ORIGINAL SIDE

AP-COM/484/2024

SINO TRUST GLOBAL PTE LTD
VS
BALASORE ALLOYS LTD

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 24th April, 2024.

Appearance:
Mr. Tilak Bose, Sr. Adv.

S. N. Mitra, Adv.
Mr. N. Bhattacharya, Adv.
Ms. A. Lala, Adv.

The Court: This is an application under Section 9 of the Arbitration and Conciliation Act, 1996. There is an award dated 13th April, 2022 in favour of the petitioner for an amount of Rs.488 crores.

The petitioner seeks protective reliefs in the form of security. It is also submitted on behalf of the petitioner that an application for enforcement of the award being EC/227/2023 is pending before this Court and notwithstanding directions having been passed as far back as on 18th May, 2023, no Affidavit-in-Opposition has been filed by the respondent till date. There are also serious allegations of the precarious financial condition of the respondent. However, this submission is disputed by the respondent.

The parties are directed to exchange their Affidavits.

Let Affidavit-in-Opposition be filed peremptorily by 6th May, 2024. Reply, prior to the returnable date.

Let this matter appear alongwith EC/227/2023 as a Specially Fixed Matter on 13th May, 2024.

It is made clear that in the absence of complying with the aforesaid directions within the stipulated time period, the petitioner will have a right to seek protective reliefs.

As prayed for by the respondent, the time to file the Affidavit-in-Opposition in EC/227/2023 is also extended till 6th May, 2024 peremptorily. Reply thereto, if any, be filed by 13th May, 2024.

(RAVI KRISHAN KAPUR, J.)

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