

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

EC/132/2012

M/S. B. B. M. ENTERPRISES
VS
STATE OF WEST BENGAL

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 20th February, 2024.

Appearance:
Mr. Sakya Sen, Adv.
Ms. Nilanjana Adhya, Adv.
...for petitioner.

Mr. Paritosh Sinha, Adv.
Mr. Priyankar Shah, Adv.

The Court: This is an application for execution of an award dated 16 September, 2009 for a principal amount of Rs.1,25,94,512/-. The execution proceeding has been pending since 2012. The award carries pendente lite interest @15% and post award interest of 18%.

The principal amount of Rs.1,25,94,512/- has now aggregated to Rs.6,45,41,930/- as on 30 November, 2023. There is also an additional component of interest which has accrued till 31 January, 2024 which is approximately in excess of Rs.1 crore.

The oblivious and commercially imprudent award debtor State of West Bengal has paid an aggregate amount of Rs.5,34,74,266/- both on account of principal and on interest.

The award holder now seeks the balance payment of Rs.1.10 crores on account of outstanding decretal dues.

It is matter of public concern that on a principal amount of Rs.1,25,94,512/-, the State has had to pay more than Rs. 5 crores in respect of the awarded amount and the interest burden is allegedly still increasing.

A supplementary affidavit had been filed pursuant to an order dated 15th January, 2024 on behalf of the award holder. There has been no response to the Supplementary Affidavit till date. The award-debtor seeks an adjournment. The time to file the Reply is peremptorily extended till 23 February 2024

Let this matter appear on 26th February, 2024.

(RAVI KRISHAN KAPUR, J.)

SK./S.Bag