

ORDER SHEET
IA NO.GA-COM/1/2025
In
EC/173/2022
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

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

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 10th June, 2025.

Appearance:
Mr. Sakya Sen, Sr. Adv.
Ms. Nilanjana Adhya, Adv.
...for the award-holder

Mr. Paritosh Sinha, Adv.
Mr. Arindam Mandal, Adv.
...for the State

The Court:

1. IA No.GA-COM/1/2025 is an application for stay of operation of the award as also the execution proceeding, till disposal of an appeal which the award-debtor desires to file before the Hon'ble Apex Court. The said proposed appeal arises out of an order passed in a proceeding under Section 36 of the Arbitration and Conciliation Act, 1996. This Court is in seisin of the execution case which has been initiated by the award-holder. There is no order of stay of the execution case. This Court had already attached the bank account of the award-debtor in furtherance of the execution case, for a sum of Rs.2.96 crores. The Court before which

the applications under Sections 34 and 36 of the said Act was filed by the award-debtor, by an order dated January 21, 2025 had directed that the order of stay of operation of the award should be vacated on the ground of non-compliance of the order for deposit of a further amount, as per the award, with the interest component.

2. I do not find any reason to entertain the application being IA No.GA-COM/1/2025. The award-debtor is at liberty to proceed before the appropriate forum.
3. The execution case has been made returnable on August 28, 2025. The award-debtor has adequate time to approach the Hon'ble Apex Court.
4. Accordingly, IA No.GA-COM/1/2025 is disposed of.

(SHAMPA SARKAR, J.)