OCD –63

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

EC /173/2022
M/S. B.B.M. ENTERPRISES
VS
STATE OF WEST BENGAL

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 13th May, 2025.

Appearance:
Mr. Sakya Sen, Sr.Adv.
Ms. Nilanjana Adhya, Adv.
...for the petitioner
Mr. Arindam Mondal, Adv.
Mr. Paritosh Sinha, Ld. AOR, WB
...for the State

The Court: It appears that the award-debtor has not yet been able to challenge the order passed by the Hon'ble Commercial Court at Alipore although it is submitted that it is in the process of filing the application before the Hon'ble Apex Court.

Under such circumstances, this Court is of the view that the execution may not proceed, but the money as directed by the Commercial Court at Alipore should be secured. Accordingly, the sum of Rs. 2.96 crores from the account maintained by the State of West Bengal with the RBI, Kolkata shall remain attached.

The concerned official of the Reserve Bank of India Kolkata shall act on the basis of a server copy of the order to be supplied by the advocate-on-record of the petitioner or the petitioner, as the case may be.

Needless to mention, the order securing the amount is in furtherance to the execution case. The execution case can commence as the Commercial Court at Alipore, had vacated the stay of the execution on the ground of non-compliance, by an order dated January 21, 2025.

However, this order will not prejudice the rights of the award-debtor who is aggrieved by the order of the commercial court.

Let this matter appear in the list on 28th August, 2025 at 4 P.M.

(SHAMPA SARKAR, J.)

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