



O-47

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

APO/141/2023
With AP/915/2011

STATE OF WEST BENGAL
-VS-
RAJPATH CONTRACTORS AND ENGINEERS LTD AND ANR

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

-AND-

The Hon'ble JUSTICE MD. SHABBAR RASHIDI

Date: December 8, 2025.

Appearance:

Mr. Priyankar Saha, Adv.
...for the respondents

The Court : None appears for the appellant.

No accommodation is sought for.

Learned advocate appearing for the respondents draws the attention of the Court to the order dated August 6, 2025 passed in Special Leave to Appeal (C) No. 20523/2023. He submits that, the interim arrangement put by the Co-ordinate Bench was directed to continue for a period of four months within which the appeal was to be disposed of.

He draws the attention of the Court to the order of the Hon'ble Supreme Court and submits that, in the event, the appeal was not decided within the period of four months, it was open to the respondent to apply for vacating the stay order. He also points out that, the respondents are yet to apply for vacating of the order impugned.

We find that, Co-ordinate Bench initially granted stay of the execution of the award till the disposal of the appeal, fixing September 13,



2023 as the date of hearing of the appeal. Since then, apparently no hearing took place.

Respondents before us moved the Hon'ble Supreme Court against the order dated August 30, 2023 granting stay by way of Special Leave Petition in which Hon'ble Supreme Court by the order dated August 6, 2025 allowed the arrangement made by the order dated August 30, 2023 to continue for a period of four months within which, the appeal was desired to be disposed of.

The order dated August 6, 2025 of the Hon'ble Supreme Court also directed the parties to co-operate with the hearing of the appeal and not to take any unnecessary adjournments.

Today, none is present on behalf of the appellant.

In such circumstances, APO/141/2023 is dismissed for default.

Interim order stands vacated.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)