



ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

APOT/419/2024
WITH AP/215/2018
IA NO: GA/1/2024, GA/2/2024

HINDUSTAN STEELWORKS CONSTRUCTION LIMITED
VS
M/S. NARMADA EQUIPMENT AND SPARES COMPANY

BEFORE:

The Hon'ble JUSTICE SOUMEN SEN

AND

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 29th January, 2025

Appearance:

Mr. Arik Banerjee, Adv.

Mr. Abir Das, Adv.

...for the appellant

Mr. Sabyasachi Chowdhury, Sr. Adv.

Mr. Sounak Mukhopadhyay, Adv.

Mr. Sanjib Dawn, Adv.

...for respondent.

1. There is a delay of 83 days in preferring the appeal.
2. The delay is sufficiently explained.
3. The prayer for condonation of delay is allowed.
4. Accordingly, IA No. GA/1/2024 stands disposed of.
5. This is an application for stay of operation of the order passed by the learned Single Judge in connection with an application for setting aside of the award.
6. In the aforesaid proceeding, the appellant has secured 75% of the principal amount.
7. In view of the fact that the award has been upheld, upon furnishing security of Rs.2 Crores with the learned Registrar, Original Side either



by way of cash or bank guarantee within a period of three weeks from the date, there shall be a stay of operation of the award till the disposal of the appeal.

8. However, we make it clear that in the event the said security is not furnished, the award shall be immediately executable.
9. The appellant shall file requisite number of informal paper books prepared out of Court within four weeks from date and shall serve copies thereof to the advocate-on-record of the respondent within a week thereafter.
10. Mr. Sanjib Dawn, advocate-on-record appears on behalf of the respondent and waives service of notice of appeal.
11. Settlement of index and all other formalities are dispensed with.
12. The appeal shall be listed in the monthly list of April, 2025.
13. The application being IA No. GA/2/2024 stands disposed of.

(SOUMEN SEN, J.)

(BISWAROOP CHOWDHURY, J.)