



2023:CHC-OS:1728

ODC 5, 6 & 7.

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

EC/12/2023

M/S B B M ENTERPRISES
VS
THE STATE OF WEST BENGAL AND ORS

WITH

AP/746/2022

THE STATE OF WEST BENGAL
VS
M/S B B M ENTERPRISE

WITH

AP/808/2022

THE STATE OF WEST BENGAL AND ORS
VS
M/S B B M ENTERPRISE

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date: 17th January, 2023.

Appearance:

Mr. Paritosh Sinha, Adv.
Mr. Debraj Sahoo, Adv.
Mr. Arindam Mandal, Adv.

Mr. Sakya Sen, Adv.
Ms. Nilanjana Adhya, Adv.

The Court: Heard counsel appearing on behalf of the parties.



Counsel on behalf of the State of West Bengal/the award debtor submits that they will deposit the sum of Rs.9 crores within a period of six weeks from date. This amount is to be deposited by way of a cash deposit before the Registrar, Original Side, High Court Calcutta within six weeks.

In the event the above payment is made, the arbitration award shall remain stayed till disposal of the Section 34 application. In default, the award holder shall be at liberty to proceed with the execution application.

The applications are made returnable six weeks hence.

With regard to AP 746 of 2022, which is a Section 34 application, the petitioner prays for condonation of delay of 27 days after the expiry of the 90 days. Sufficient grounds have been made out and accordingly I condone the said delay and I admit the Section 34 application.

Let affidavits be exchanged in this matter.

Accordingly, let affidavit in opposition be filed within five weeks from date; reply thereto, if any, be filed within three weeks thereafter.

(SHEKHAR B. SARAF, J.)

sp/