



2023:CHC-OS:1728

OCD-4

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

IA NO. GA/1/2023
In AP/808/2022

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

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 28th July, 2023.

Appearance:

Mr. Priyankar Saha, Adv.

Mr. Arindam Mondal, Adv.

Mr. Paritosh Sinha, Adv.

...for the State

Ms. N. Adya, Adv.

.....for the petitioner

The Court: This matter is listed at the instance of the petitioner. The matter, being an application by the petitioner/award-holder to withdraw the secured amount was disposed of by a judgment dated 25th July, 2023. Learned counsel appearing for the petitioner/award-holder now prays that an order be made in terms of prayer (b) of the petitioner's application for permitting the amount of Rs.9 crores to be electronically transferred to the account of the award-holder, the details of which are mentioned in prayer (b) of the application.



The respondent/award-debtor is represented. Learned counsel appearing for the respondent submits that the petitioner should first furnish the bank guarantee and then only the secured amount can be permitted to be withdrawn. The operative portion of the judgment permitted the award-holder to withdraw the amount of Rs.9 crores upon furnishing a bank guarantee of an equivalent amount with the Registrar, Original Side of this Court. This direction will remain unchanged subject to the modification which follows:-

The award-holder will furnish a bank guarantee of Rs.9 crores of the Punjab National Bank, Keyatala Branch, Kolkata-29 to the Registrar, Original Side of this Court within three weeks from today. The Registrar, Original Side will electronically transfer Rs.9 crores on the same day, that is, of receiving the bank guarantee from the award-debtor to the account of the award-holder being Account No.1667002100009684 with the Punjab National Bank, Keyatala Branch, Kolkata-29, IFSC Code- PUNB0166700.

This modification may be treated as part and parcel of the judgment dated 25th July, 2023.

(MOUSHUMI BHATTACHARYA, J.)