



IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

FMAT(ARBAWARD)/4/2024
(IA NO: CAN/1/2024)

The Union of India

Vs.

M/S CSE Construction (India) Pvt Ltd.

Mr. V. D. Sivabala ... for the petitioner

Mr. Tapan Kumar Das ... for the respondent

March 11, 2025
[SR]
Item No.4

Re: CAN/1/2024 (Stay)

1. This is an application for stay of operation of the order passed in the application for setting aside the award. The application for setting aside the award was dismissed on merits. In view whereof, the award is enforceable under section 36 of the Arbitration and Conciliation Act, 1996.

2. The appellant, upon securing the entire decretal amount excepting the cost, shall be entitled to stay of the operation of the impugned order.

3. There shall be an unconditional stay of enforcement of the impugned award for a period of two weeks from date. In the event the decretal amount (excepting the cost) is secured by furnishing the bank guarantee with the Registrar, Circuit Bench of Calcutta High Court at Port Blair, the same shall be stayed till the disposal of the appeal.

4. In the event, the unconditional Bank Guarantee is furnished to the satisfaction of the Registrar, Circuit Bench of



Calcutta High Court, the same shall be renewed from time to time till the disposal of the appeal.

5. CAN/2/2024 stands disposed of.

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6. An informal paper book has been filed in court today. The learned advocate for the award holder, however, submitted that some documents have been left out in the informal paper book and is incomplete.

7. The learned advocate for the appellant shall file a supplementary book including all documents including the arbitration proceeding inadvertently left out, within two weeks from date.

8. Since the Trial Court Records is incomplete, let the Trial Court Records be sent to the trial court with the direction that a complete set of Trial Court Records duly verified by the learned Judge shall be transmitted to the Circuit Bench of Calcutta High Court within two weeks from the date of receipt of the Trial Court Records along with copy of this order.

9. The department is directed to forthwith communicate this order along with Trial Court Records in order to enable the learned Judge to comply with the direction of this Court.

(Soumen Sen, J.)

(Raja Basu Chowdhury, J.)