

ODC-1

ORDER SHEET

APOT NO. 10 of 2022

with

AP NO.418 of 2021

IA NO: GA/1/2022

IN THE HIGH COURT AT CALCUTTA

CIVIL APPELLATE JURISDICTION

ORIGINAL SIDE

(COMMERCIAL DIVISION)

M/S KUSARI ENTERPRISES AND ORS

Versus

IDFC FIRST BANK LIMITED

(FORMERLY KNOWN AS CAPITAL FIRST LIMITED)

Before:

The Hon'ble Justice I. P. MUKERJI

And

The Hon'ble Justice ANIRUDDHA ROY

Date: 1st February, 2022.

Appearance:

Mr. Debashis Sinha, Adv.

Mr. Arijit Chatterjee, Adv.

Mr. Mohit Gupta, Adv.

Ms. Sarmishta Dhar, Adv.

Mr. Debmalya Dey, Adv.

Mr. Soumya Ray, Adv.

Ms. Pooja Sett, Adv.

Mr. Ranjit Singh, Adv.

Mr. Amar Singh, Adv.

The Court: In spite of several opportunities being granted to the learned advocate for the appellants to persuade his clients to suggest security that can be furnished by them to obtain stay of the subject award, no proposal on behalf of the appellants is forthcoming.

On perusal of the impugned judgment and order dated 14th December, 2021, we find that there is no infirmity in it. The learned trial judge has exercised his jurisdiction correctly.

The impugned judgment and order dated 14th December, 2021 is affirmed save and except the part relating to imposition of costs of Rs.10,000/- which is set aside.

In that view of the matter, this appeal and the connected application are dismissed.

We, however, reserve the right to the appellants to approach the learned trial judge with a concrete proposal to secure the said award as a condition to obtain stay of execution thereof. In the event such an application is made, the learned trial judge shall consider the same and dispose of it as his lordship deems fit and proper.

(I. P. MUKERJI, J.)

(ANIRUDDHA ROY, J.)

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