

OD-8

EC/253/2018
IA NO: GA/1/2020, GA/2/2020
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Via Video Conference)

STATE TRADING CORPORATION (INDIA) LTD.
VS
O/L, HIGH COURT, CALCUTTA

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 18th February, 2022.

Appearance:-

Mr. Shiv Shankar Banerjee, Adv.
Ms. Sanchita Barman Roy, Adv.

Ms. Smita Das De, Adv.

The Court:- This is an application for execution of an award dated 1st April, 2017. By the said award, the award-holder has been granted an amount of Rs.72,24,000/-. The Official Liquidator is represented and submits that there are no funds lying to the credit of the Company-in-Liquidation. Accordingly, there is no question of disbursing any payment to the award-holder at this stage.

However, it is submitted on behalf of the Official Liquidator that the award-holder may lodge their claims in accordance with law before the Official Liquidator, if so advised.

The award-holder is represented and prays that liberty be granted to the award-holder to lodge their claims in accordance with law before the Official Liquidator.

Accordingly, I am of the view that no purpose would be served in keeping this application pending.

In view of the aforesaid, EC/253/2018 is disposed of as infructuous.

Liberty is granted to the award-holder to take back the original certified copy of the award sought to be executed after replacing the same with a photocopy thereof.

Liberty is also granted to the award-holder to file an execution proceeding afresh in accordance with law, if so advised at the appropriate stage.

In view of the submissions made on behalf of the Official Liquidator, liberty is also granted to the award-holder to file their claim before the Official Liquidator within a period of eight weeks from date of passing of this order. If such application is received, the Official Liquidator will consider the same strictly in accordance with law.

With the aforesaid directions, GA/1/2020 and GA/2/2020 stand disposed of.

(RAVI KRISHAN KAPUR, J.)