

ODC-3

EC/289/2021  
IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ORIGINAL SIDE  
[COMMERCIAL DIVISION]

M/S SATABDI MONOLITHICS INDUSTRIES PRIVATE LIMITED  
VS  
M/S ANKIT METAL AND POWER LIMITED

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 10<sup>th</sup> February, 2022.

*Appearance:*  
*Mr. Mohit Gupta, Adv.*

*Mr. S. Nayak, Adv.*  
*Mr. A. Dutt, Adv.*

The Court : A point is raised on behalf of the judgment debtor that the decree-holder ought not to be permitted to proceed with this execution application and should be directed to file an execution application afresh in view of the provisions of the Commercial Courts Act, 2015.

It is unfortunate that though this Court had on 29 January, 2022 permitted the decree-holder to withdraw this application and have the matter listed before the appropriate Division Bench of this Hon'ble Court, the judgment debtor had not taken any such objection.

However, the decree-holder is granted liberty to withdraw this application and file an execution application afresh in accordance with law before the Commercial Division of this Hon'ble Court.

With the aforesaid directions, EC 289 of 2021 stands disposed of.

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

(RAVI KRISHAN KAPUR, J.)

SK.