OD-42

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
[Via Video Conference]

EC/544/2018

KARTICK CHANDRA DHAR
VERSUS
STATE OF WEST BENGAL & ANR.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 10th February, 2022

Appearance:
Ms. Mamata Binani, Adv.
Mr. Sidhartha Sharma, Adv.
Mr. Danish Taslim, Adv.
Ms. Shalini Basu, Adv.
...for the decree-holder

Mr. Paritosh Sinha, Adv.
Mr. Arindam Mondal, Adv.
...for the State of West Bengal

The Court: This is an application for execution of an award dated 16th July, 2016. The award directs the State respondents to pay a sum of Rs.41,41,030/- which is inclusive of interest and costs to the decree-holder. It is submitted on behalf of the decree-holder that though an initial amount of Rs.30 lakhs had been paid to the decree-holder in part satisfaction of the decree, there is an outstanding amount in excess of Rs.17,15,000/- due and payable as on date to the decree-holder. The supplementary affidavit filed on behalf of the decree-holder be kept with the records. At paragraph 7 of the said supplementary affidavit the particulars of the exact dues payable to the decree-holder have been fully mentioned.

Mr. Sinha, Advocate appears on behalf of the State of West Bengal and submits that in view of the history of this litigation and the fact that a substantial portion of the decree has already been satisfied, the judgment-debtors are ready and willing to pay a sum of Rs.15 lakhs in full and final settlement of the entire awarded amount.

As suggested by Mr. Sinha, Advocate, the Registrar, Original Side is directed to issue necessary instructions to the Reserve Bank of India to pay a sum of Rs.15 lakhs only to the award-holder from the funds lying to the credit of the award-debtor (State of West Bengal) with the Reserve Bank of India.

It is made clear that upon receipt of the said sum of Rs.15 lakhs, the award dated 16th July, 2016 would stand satisfied in its entirety.

With the aforesaid directions, EC/544/2018 stands disposed of.

The aforesaid exercise is to be completed within a period of four weeks from date of communication of this order to the Reserve Bank of India.

(RAVI KRISHAN KAPUR, J.)

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