

ORDER SHEET

AP/488/2022  
WITH  
AP/361/2022

IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE  
(Commercial Division)

UNION OF INDIA AND ANR  
VS  
KUSHAL KUMAR KUMAR AND ORS

BEFORE:  
The Hon'ble JUSTICE SHEKHAR B. SARAF  
Date : 11<sup>th</sup> August, 2022

Appearance:  
*Ms. Aparna Banerjee, Adv.*  
*...for the petitioner*

*Mr. Suman Kumar Dutt, Adv.*  
*Mr. Mohit Gupta, Adv.*  
*Mr. A.P. Agarwalla, Adv.*  
*...for the respondents*

Re. AP/361/2022:-

This is a Section 34 application.

Let affidavits be exchanged in this matter.

Affidavit-in-opposition be filed within five weeks from date; reply thereto,  
if any, within two weeks thereafter.

Liberty is granted to the parties to mention the matter for inclusion in  
the list.

The point of maintainability is kept open.

Re. AP/488/2022:-

Counsel on behalf of the petitioner submits that they are willing to deposit the entire sum of Rs.1,40,21,044/- as cash deposit before the Registrar, Original Side within a period of five weeks from date.

Accordingly, the petitioner is directed to deposit the above amount before the Registrar, Original Side within a period of five weeks and upon deposit of such amount, the Registrar, Original Side is directed to create interest bearing fixed deposit of the said amount. In the event the money is deposited within five weeks, the arbitral award shall remain stayed till the hearing of the Section 34 application.

The award-holder shall be at liberty to file an application for withdrawal of the amount that is to be deposited before the Registrar, Original Side, if so advised.

AP/488/2022 is, accordingly, disposed of.

(SHEKHAR B. SARAF, J.)