

08.06.2023
Court No. 19
Item no.14
CP

C.O. 1684 of 2023

Jitendra Shaw
Vs.
Khyali Ram Agarwal & anr.

Mr. Arunabha Maitra
Ms. Manasi Das

.....for the petitioner.

The petitioner/award holder, prays for expeditious disposal of Arbitration Execution Case No. 334 of 2019, renumbered as Arbitration Execution No. 13 of 2020, now pending before the learned Civil Judge (Senior Division), 1st Court at Barasat, North 24 Parganas.

As this is an innocuous prayer, this court is of the view that the execution case must be expedited and disposed of. Expedition of the execution case cannot cause any injustice to any of the parties. Hence, no further notice is required to be served upon the opposite parties.

It is submitted that no appeal from the award had been preferred by the opposite parties.

The revisional application is disposed of with a direction upon the learned court below to conclude the Arbitration Execution No. 13 of 2020 within a period of six months from the date of communication of this order, strictly in accordance with law and

without granting any unnecessary adjournments to the parties. Such order will be subject to any other order that may be passed by a competent court of law.

It is made clear that this court has neither gone into the merits of the award nor into the merits of the execution case. This order shall not be construed as a decision or an opinion of this court on the right, interest and validity of the claim of the award holder in the execution proceedings.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)