

OCD-13

ORDER SHEET

AP/353/2023

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

HOOGLY RIVER BRIDGE COMMISSIONERS
Versus
UIC SENBO JV

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 19th June, 2023.

Appearance:

Mr. Anirban Ray, Adv.

Mr. Shaunak Mitra, Adv.

Mr. Aviroop Mitra, Adv.

Mr. Rabindra Kr. Mitra, Adv.

...for the petitioners

Mr. Reetobroto Mitra, Adv.

Mr. Debangshu Dinda, Adv.

Mr. Varun Kothari, Adv.

Ms. Arundhuti Barman Roy, Adv.

...for the respondents

The Court: On the last occasion learned counsel appearing for the award-holder had taken time to take instructions in the matter.

The award-debtor/petitioner is ready to secure an amount of Rs.10 crores towards the decretal amount for stay of the Award. The respondent is agreeable to the same.

AP/353/2023 is, accordingly, allowed and disposed of by directing the petitioner to secure the impugned Award to the extent of Rs.10 crores, 50% of which shall be deposited in cash and the remaining in the form of bank guarantee with the Registrar, Original Side, within a period of five weeks from date, as prayed for.

The impugned Award dated 12th January, 2023 is stayed.

In the event, the petitioner fails to take steps in compliance with the foregoing directions, the respondent award-holder shall be at liberty to take steps for enforcement of the Award.

Since the respondent has not used any affidavit, the allegations made in the petition are deemed not to have been admitted.

(MOUSHUMI BHATTACHARYA, J.)