

ORDER SHEET

AP/465/2023

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

BALASORE ALLOYS LTD.
VS
MEDIMA LLC

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 4th September, 2023

Appearance:

Ms. Arunima Lala, Adv.

...for the petitioner

Mr. Naman Choudhury, Adv.

...for the respondent

The Court:- It is clear from the submissions made on behalf of the petitioner that the present application under Section 48 of the 1996 Act has been filed on the basis of an apprehension that the award-holder will file an application under Section 47 of the Act. The application has been filed on 11th July, 2023 and has been kept pending in the list essentially for the respondent to come up with an application for enforcement of the award under Section 47 of the Act.

Learned counsel appearing for the respondent submits that the respondent is yet to file an application for enforcement of the award.

This Court is hence of the view that the present application should be dismissed as withdrawn since the application has been used as a buffer to enforcement of the award since the petitioner has no real intention to move the application.

AP/465/2023 is accordingly dismissed as withdrawn.

Liberty to file afresh.

(MOUSHUMI BHATTACHARYA, J.)

T.O.
A.R. (C.R.)