

OD-2 & 3

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

EC/232/2022

LIEBHERR INDIA PRIVATE LIMITED
VERSUS
EMTA COAL LIMITED AND ORS.

EC/234/2022

LIEBHERR INDIA PRIVATE LIMITED
VERSUS
EMTA COAL LIMITED AND ORS.

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date: 25th January, 2023.

Appearance:

Mr. Sukanta Chakrabarty, Adv.

Mr. Anindya Halder, Adv.

...for the award-holder.

Mr. Ratnanko Banerji, Sr. Adv.

Mr. Sanjib Kumar Mal, Adv.

Mr. Atanu Raychaudhuri, Adv.

Mr. Pushan Majumdar, Adv.

...for the award-debtors.

The Court: Learned Counsel appearing on behalf of the respondents has filed affidavits affirmed by Mr. Gaurav Bagaria, the Director of the respondent company.

It appears from the said affidavits that a settlement has been arrived at between the parties and the payment are to be made in instalments, the last of which is to be paid by 20th March, 2023. It has to be noted that a sum of Rs.1,00,00,000/- (Rupees One Crore only) in EC No.232 of 2022 and Rs.

30,00,000/- (Rupees Thirty Lakhs only) in EC No.234 of 2022 are lying with the Registrar, Original Side, High Court at Calcutta which the respondents have agreed may be released to the petitioner herein.

Accordingly, the Registrar, Original Side, High Court at Calcutta is directed to release the said amount of money, that is, Rs.1,00,00,000/- (Rupees One Crore only) in EC No.232 of 2022 and Rs. 30,00,000/- (Rupees Thirty Lakhs only) in EC No.234 of 2022 along with accrued interest to the petitioner within a period of two weeks from date.

With the aforesaid direction, EC No.232 of 2022 and EC No.234 of 2022 stand disposed of.

(SHEKHAR B. SARAF, J.)