

OCD-19

ORDER SHEET

AP/819/2022

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

THE PRINCIPAL CHIEF ENGINEER METRO RAILWAY
Versus
M/S. ENGINEERING PROJECTS (INDIA) LTD.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 4th July, 2023.

Appearance:

Ms. Aparna Banerjee, Adv.

Mr. Sukanta Ghosh, Adv.

...for the petitioner

Mr. Arnab Chakraborty, Adv.

Ms. Pragya Bhowmick, Adv.

...for the respondent

The Court: The supplementary affidavit filed in Court today by the petitioner is kept on record.

The petitioner seeks stay of the impugned Award dated 10th August, 2022, passed by a Tribunal consisting of three Officers of the Metro Railway. The amount awarded to the respondent (claimant in the arbitration) was Rs.48,82,092/- which the petitioner was to pay the respondent within 45 days of publication of the Award, failing which 12% simple interest per year would be payable by the petitioner on the awarded amount.

Learned counsel appearing for the petitioner is willing to secure the aforesaid amount by way of a cash deposit.

AP/819/2022 is accordingly allowed and disposed by directing the petitioner to pay Rs.48,82,092/- to the Registrar, Original Side within four weeks from today. The operation of the impugned Award shall remain stayed from the date on which the petitioner makes the payment as directed above. In the event the petitioner fails to comply with the direction, the respondent/award-holder shall be at liberty of taking steps for execution of the Award.

(MOUSHUMI BHATTACHARYA, J.)

bp.