

19.11.2024
SI No.6
Court No.37
(gc)

**In the High Court at Calcutta
Civil Appellate Jurisdiction
(Commercial Division)**

FMAT (ARBAWARD) 31 of 2022

**Union of India
Vs.
M/s. GPT-GEO (JV), Jeewan Satya**

Mr. Dayashankar Mishra
...for the Appellant.

1. The order passed by the Coordinate Bench on 26th July, 2022 in IA no.CAN 1 of 2022 has virtually disposed of the appeal by setting aside the order passed by the learned Judge, Commercial Court at Alipore in Misc. Execution (Arbitration) IRB 01 of 2021. The operation of the arbitral award was stayed till the disposal of the application under Section 34 of the Arbitration and Conciliation Act provided the appellant deposits the awarded amount together with the interest, if there be any, within a time fixed by the Coordinate Bench.
2. It is submitted on behalf of the appellant that the said amount has already been deposited with the execution proceeding.
3. In view of the aforesaid, the appeal succeeds.
4. The impugned order is set aside.

5. The appeal being FMAT (ARBAWARD) 31 of 2022 is disposed of.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Soumen Sen, J.)

(Biswaroop Chowdhury, J.)