

19.08.2025
Item no. 43.
Court No.6.
AB

C. O. 3023 of 2025

**EFCALON TIE UP PRIVATE LIMITED
Vs
STARTRACK AGENCY PRIVATE LIMITED**

Mr. Aniruddha Chatterjee, sr. adv,
Mr. Dwaipayan Basu Mullick,
Mr. Rajesh Upadhyay,
Ms. S. Biswasfor the Petitioner.

This application under Article 227 of the Constitution of India is at the instance of the award holder praying for a direction upon the learned Judge, Commercial Court, Alipore to dispose of the Misc. Execution (Arb.) 07 of 2020, which has been renumbered as Misc. Ex. (Com) 06 of 2020 expeditiously.

Mr. Chatterjee, learned senior advocate appearing for the petitioner submits that the application under Section 34 of the Arbitration and Conciliation Act, 1996 praying for setting aside the arbitral award stood dismissed. The opposite party preferred an appeal under Section 37 of the said Act, which also stood dismissed.

Challenging the order dismissing the appeal, the opposite party preferred a Special Leave Petition before the Hon'ble Supreme Court being Diary No.32428 of 2025. He submits that the opposite party is not taking any effective steps for getting the Special Leave Petition heard out before the Hon'ble Supreme Court and is

praying for adjournment before the learned Executing Court.

A copy of the order dated August 18, 2025 passed by the learned Judge, Commercial Court, Alipore in Misc. Exe. (Com) 06 of 2020 has been produced before this Court. It appears from the said order that September 4, 2025 has been fixed for further orders and the award debtor/opposite party herein was directed to file the status report of the Special Leave Petition and stay order, if any, passed by the Hon'ble Supreme Court on the next date fixed.

In view of the order sought and proposed to be passed, there is no necessity to issue notice upon the opposite party. However, the learned advocate appearing for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party or upon the learned advocates representing it before the learned Executing Court.

The learned Judge, Commercial Court at Alipore is requested to proceed with the Misc. Exe. (Com) 6 of 2020 in accordance with law as expeditiously as possible without granting any unnecessary adjournment to either of the parties, in the event the opposite party fails to satisfy the learned Executing Court with regard to any impediment for proceeding with the execution case.

(Hiranmay Bhattacharyya, J.)

