

01.07.2025
Item No.4
Court No.01
SK(AR(CR)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri**

CO/20/2025

**THE PROJECT DIRECTOR
VS
TERAI TEA COMPANY PRIVATE LIMITED AND
ANR.**

Mr. Supriya Singh,
...for the petitioner

Mr. Bikramaditya Ghosh,
Mr. Sitesh Kumar Gupta,
...for opposite party no. 1.

It is fairly submitted on behalf of both the parties that in view of the subsequent events which have transpired after the filing of this civil revisional application and primarily on the ground that the award dated 15 May, 2022 has been set aside, the instant application for all purposes has become infructuous.

Briefly, the applicant being the Project Director, Asian Highways had filed this revisional application challenging an order passed in Money Execution No. 19/2023 by the Learned Civil Judge Senior Division at Siliguri.

There are serious questions *vis-a-vis* the jurisdiction exercise by the Learned Civil Judge Senior Division at Siliguri in the above Money Execution Case. It is contended on behalf of the petitioner that there has been an erroneous

exercise of jurisdiction in entertaining the said execution proceeding.

Mr. Ghosh appearing on behalf of the respondent no.1 decree holder fairly submits that in view of the subsequent events i.e. the setting aside of the arbitral award dated 15 May, 2022, Money Execution Case No. 19/2023 has for all purposes become nugatory and infructuous.

In view of the above and keeping in mind that the award dated 15 May 2022 has been set aside, liberty is granted to both the parties to avail of their respective remedies in accordance with law.

In view of the above, the question of maintainability of the proceedings in Money Execution Case no. 19/2023 need not be adjudicated upon.

With the above directions, CO/20/2025 stands disposed of.

(RAVI KRISHAN KAPUR, J.)