

Dd

6 24.11.2025

*IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI*

CO/91/2024

M/S JOY ENTERPRISES
VS
THE SILIGURI REGULATED MARKET AND ORS.

Mr. Sudipto Kumar Majumder, Sr. Adv.
Mr. Shubhankar Dutta, Advocates
... ... For the Petitioner

1. Revisional application is directed against Order No. 45 dated July 12, 2021 passed in Misc. Arbitration Case No. 05 of 2017.
2. By the impugned order, learned Executing Court found that its earlier order dated April 7, 2021 was duly complied with and, thereafter, proceeded to dispose of Misc. Arbitration Case No. 05 of 2017.
3. Learned senior advocate appearing for the petitioner submits that, the petitioner received the original award from the executing Court. He submits that, the petitioner was laboring under the impression that the original executing petition was also required to be transmitted to the executing Court, for the purpose of proceeding. He submits, on instruction that, the petitioner may now be granted liberty to put the award into execution.
4. There subsists an award. No material is placed on record to suggest that there is a proceeding under Section 34 of the Arbitration and

Conciliation Act, 1996 pending challenging such award.

5. Petitioner placed the award for execution before the executing Court by way of Misc. Arbitration (Execution) Case No. 05 of 2017 which was disposed of by the impugned order.
6. Original award is presently lying with the writ petitioner.
7. In such circumstances, petitioner may put the award into execution before the appropriate forum, in accordance with law.
8. CO/91/2024 is **disposed of** without any order as to costs.

(Debangsu Basak, J.)