

OCD-33

AP-COM/246/2025
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

NBCC INDIA LIMITED
VS
INDIV INDIA PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 17th April, 2025.

Appearance:

Mr. Devajyoti Barman, Adv.

Ms. Sanjunta Basu Mallick, Adv.

. . .for the petitioner.

Mr. U.S. Menon, Adv.

Mr. Abhirup Chakraborty, Adv.

. . .for the respondent.

The Court:

1. The petitioner is the award-debtor. This is an application under Section 36(2) of the Arbitration and Conciliation Act, 1996, for stay of operation of the award dated March 11, 2014. The petitioner is willing to secure the entire awarded sum.
2. Accordingly, the petitioner will deposit a sum of Rs. 1,33,11,196/- before the Registrar, Original Side, High Court Calcutta, by way of demand draft/pay order, within a period of four weeks from date.
3. The said amount shall be deposited by the learned Registrar in an interest bearing auto renewable fixed deposit with any Nationalized Bank.

4. There shall be an unconditional stay of the award for a period of four weeks from date.
5. Upon deposit of the amount as directed hereinabove, the stay of enforcement of the award shall continue till disposal of the application under Section 34 of the Arbitration and Conciliation Act, 1996.
6. In case of default, this order shall stand vacated and the award-holder can proceed with the execution case.
7. Upon deposit of the amount as directed, the learned advocate on record for the award-debtor shall communicate the factum of such deposit to the learned advocate-on-record for the award-holder.

(SHAMPA SARKAR, J.)

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