

OCD 9

ORDER SHEET
AP-COM/502/2025
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

SHAKAMBHARI ISPAT AND POWER LIMITED
VS
JYOTI KUMARI

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 17th September, 2025.

Appearance:
Mr. Debraj Sahu, Adv.
Ms. Sucheta Mitra, Adv.
Mr. Tamoghna Saha, Adv.
. . .for the petitioner.

The Court: Publications in two widely circulated dailies one in English and one in Hindi within the jurisdiction of the respondent, have been carried out. On the earlier occasion, none appeared for the respondent despite service.

The newspapers and the affidavit of service have been filed in Court. Accordingly, the matter can proceed in the absence of the respondent.

This is a post award application under Section 9 of the Arbitration and Conciliation Act, 1996 seeking interim reliefs. Prayers have been made for a direction upon the respondent to secure a sum of Rs.12,38,504.22 by cash or by filing a bank guarantee. Further prayer is to restrain the respondent from operating her bank accounts which have been linked to her pan number.

On hearing the parties, by an order dated July 2, 2025, this Court was of the opinion that the application for post award injunction should be heard in the

presence of the parties and service should be effected once again. Paper publication was directed.

However, considering the fact that there was an award in favour of the petitioner, an order of injunction on the property of the respondent was passed. The respondent was restrained from alienating or changing the nature and character of the immovable property for a period of two months.

The matter was directed to be listed upon effecting substituted service. The absence of the respondent makes it imperative for the Court to protect the awarded sum till the execution is filed. The absence of the respondent raises an apprehension that she might frustrate the award by alienating her assets.

Under such circumstances, the interim order already passed restraining the respondent from alienating and/or changing the nature and character of Flat No.201B, Block Aprana Dayal Residency, Mitra Mondal Colony, Anisabad, Patna, Bihar – 800002, shall continue up to November 30, 2025.

Accordingly, the application is disposed of.

Liberty is granted to communicate this order to the respondent.

(SHAMPA SARKAR, J.)