



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.41501 of 2023

Chief Commercial Manager (FS) Petitioners
East Coast Railway,
Bhubaneswar & Anr.

Represented By DSGI
Mr. P. K. Parhi
Along with
Mr. D. R. Bhokta, CGC

-versus-

M/s. Gompex Ltd. Opposite Party
Represented By Sr. Adv.
Mr. D. P. Nanda
Along with associates

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER
11.02.2025

Order
No.

09.

1. This matter is taken up through hybrid arrangement.

2. The Petitioners have filed this Writ Petition challenging the order dated 08.12.2023 passed by the learned Commercial Court, Bhubaneswar in Execution Case No.311 of 2019 arising out of ARBP No.160 of 2012 thereby allowing the memo instead of appropriate application filed by the DHR for release of entire awarded amount while the Arbitration Appeal No.13 of 2023 is pending before the learned District and Sessions Judge, Khurda, Bhubaneswar.



3. Heard learned counsels for the Parties.
4. Learned Sr. counsel for the Opposite Party submits that the said matter has been transferred to the court of the learned District and Sessions Judge, Cuttack on 26.06.2024, which is pending for hearing.
5. Considering the facts and submissions made, the Petitioners are directed to approach the learned District and Sessions Judge, Cuttack for hearing of the Arbitration Appeal No.1 of 2024 which is pending before the said Court for hearing.
6. It is further directed that as the interim application is pending before the learned District and Sessions Judge, Cuttack, the Petitioners are directed to approach the said court by pressing the said interim application filed by them. The said court shall consider the application of the present Petitioners within a period of two weeks from the date of presentation of a certified copy of this order.
7. Accordingly, the Writ Petition is disposed of.

(Dr. S.K. Panigrahi)
Judge

Signature Not Verified

Digitally Signed
Signed by: SUMITRA NAYAK
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 14-Feb-2025 16:39:16

