IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No.1177 of 2025

M/s. SEL-GKC (JV), having its Corporate Office at Sadbhav House, Opposite Law Garden Police Chowki, P.O. and P.S. Law Garden, Ellis Bridge, Ahmedabad-380006 through its authorized representative Mr. Vikramjeet Singh, Aged about 74 years, son of Late Avtar Singh, Resident of Plot No.198, Jayadarshini Enclave, Kompally, P.O. and P.S. Kompally Hyderabad-500014. ... ... **Petitioner**

Versus

1. State of Jharkhand, through its Director, of Project Implementation Department Centre (ADB Project, Road Construction Department, having its office at Project Building, P.O. and P.S. Dhurwa, District Ranchi.
2. Executive Engineer, through its Road Construction Department having its office at Project Building, P.O. and P.S. Dhurwa, District Ranchi

… … ... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Petitioner : Mr Ranjit Kumar Kushwaha, Advocate
For the Respondents : Mr Ashok Kumar Yadav, Sr. SC-I
Mr Shivam Sahay, AC to Sr.SC-I

Order No.06/ Dated: 02.11.2026
***Per* M.S. Sonak, C.J.**

1. Heard Mr Ranjit Kumar Kushwaha, for the petitioner and Mr. Ashok Kumar Yadav, learned Sr. SC-I who appears with Mr. Shivam Sahay, for the respondents.

2. The petitioner seeks directions for expeditious disposal of Commercial Execution Case No. 49 of 2022 on the ground that the same is pending for almost 48 months even though, the award of which execution is applied for has not been stayed by any Court.

3. Mr Yadav, points out that an application under Section 34 of the Arbitration and Conciliation Act, 1996 (said Act) was filed by the respondent to challenge the award dated 02.03.2022 to which the

Commercial Execution Case No. 49 of 2022 relates. This application under Section 34 was dismissed on 28.08.2026.

4. Mr Yadav, points out that as against the order dated 28.08.2026, the respondent has filed an appeal in this Court on 26.10.2026. He pointed out that Commercial Execution Case No. 49 of 2022 is now posted on 18th of November, 2026. Therefore, he submits that no directions may be issued in this petition.

5. The record shows that the award was made by the Arbitral Tribunal on 02.03.2022. Till date, neither in the proceedings under Section 34 of the said Act nor in the appeal now instituted by the respondent challenging the dismissal of application under Section 34, any interim relief has been obtained by the respondents.

6. Accordingly, there was no good reason for the Executing Court to have kept the execution proceeding pending for this long. In ***Rahul S. Shah Vs. Jitendra Kumar Gandhi*** reported in ***(2021) 6 SCC 418***, the Hon'ble Supreme Court has held that the executing Court must dispose of the execution proceedings within six month from the date of filing, which may be extended only by recording reasons in writing for such a delay.

7. In ***Chopra Fabricators and Manufacturers Private Limited Vs. Bharat Pumps and Compressors Limited and Another*** reported in ***(2023) 3 SCC 481,*** the Hon'ble Supreme Court has emphasized on the need for expeditious disposal of Execution Case specially in relation to Arbitral Awards.

8. In ***Periyammal (Dead) through Lrs. & Ors Vs. Rajamani and Another*** reported in ***2025 SCC Online SC 507,*** the Hon'ble Supreme Court reiterated that execution proceedings must be disposed of within six months from the date of filing.

9. Accordingly, we now direct the Executing Court to dispose of Commercial Execution Case No. 49 of 2022 within three months from today. This timeline is fixed. Considering the orders made by the Hon'ble Supreme Court from time to time and the circumstance that the Executing Court is already closed for vacations and would reopen after 15 days or thereafter. We clarify that until and unless any interim order is secured by the respondent, the execution proceeding should not be delayed solely on the ground of pendency of an appeal against the dismissal of Section 34 application to challenge the order of which execution is applied for.

10. However, we clarify that all the contentions of all parties on the merits of the execution are left open to be determined by the Executing Court within the timeline indicated above.

11. This C.M.P. No.1177 of 2025 is disposed of to the above terms without any order for costs.

(M. S. Sonak, C.J.)

(Manoj Prasad, J.)

November 2nd, 2026
Madhav/ Nandini-