

HIGH COURT OF SIKKIM : GANGTOK
Record of Proceedings

Arb. A. No. 01/2023

BORDER ROADS ORGANISATION (BRO)

APPELLANT (S)

VERSUS

ABHYUDAYA HOUSING AND CONSTRUCTION
PRIVATE LIMITED

RESPONDENT (S)

For Appellant : Ms. Sangita Pradhan, Deputy Solicitor General of India with Ms. Purnima Subba and Ms. Natasha Pradhan, Advocates.

For Respondent : Mr. Hissey Gyaltzen and Mr. Avinash Dewaan, Advocates.

Date: 27/09/2023

CORAM:

HON'BLE MR. JUSTICE BISWANATH SOMADDER, CHIEF JUSTICE
HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE

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ORDER : (per the Hon'ble, the Chief Justice)

At the time of hearing of the application for stay, being I.A. No.01/2023, an adjournment is sought for by the learned Advocate for the respondent.

At this juncture, we asked the learned Advocate for the respondent as to whether his client will proceed with the hearing of the Execution Application — pending before the learned Commercial Court — after having obtained adjournment from this Court. He assured this Court that his client will not proceed further with the Execution Application till the application for stay is taken up for further consideration.

On the basis of such assurance given by the learned Advocate representing the respondent, as stated hereinabove, we adjourn the application for stay (I.A. No.01/2023) as well as the main Arbitration Appeal, being Arb. A. No.01/2023, till 24th November, 2023, for further consideration.

(Bhaskar Raj Pradhan)
Judge

(Biswanath Somadder)
Chief Justice