



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CR-3709-2025

Decided On: 02.07.2025

CENTRIENT PHARMACEUTICALS INDIA PRIVATE LIMITED**....PETITIONER(s)****Versus****HINDUSTAN ANTIBIOTICS LIMITED****....RESPONDENT(s)****CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. Amitabh Tewari, Advocate
for the petitioner.

TRIBHUVAN DAHIYA J.(Oral)

The petition has been filed, *inter alia*, seeking a direction to the Executing Court/Additional District Judge, SBS Nagar, to expeditiously decide the application dated 15.02.2023, Annexure P-1, filed by the petitioner in execution petition bearing no.15 of 2020 titled *Hindustan Antibiotic Limited v. Centrient Pharmaceutical India Private Limited*.

2. Learned senior counsel for the petitioner contends that the award dated 26.06.2015, passed against the petitioner is under challenge in the District Court, Pune. Its application under Section 36 of the Arbitration and Conciliation Act, 1996, was allowed staying operation of the award subject to furnishing a bank guarantee of ₹410 Crores, which already stands furnished, as accepted by District Judge-2, Pune, vide its order dated 08.06.2023, Annexure P-32. Before this order could be passed, the Executing Court issued warrant of attachment of the petitioner's property vide order dated 08.02.2023, and the properties were attached on 13.02.2023. The petitioner filed application dated 15.02.2023, for recalling the warrant of attachment



dated 08.02.2023, which remained pending despite the changed circumstances. It is further contended that the arguments on the application have already been addressed by both the parties, which is apparent from short orders dated 12.09.2024, 08.10.2024, 29.10.2024, 18.11.2024, and other such orders placed on record, but the application has not been decided and is being repeatedly adjourned on one pretext or the other. As apparent from the short order dated 29.05.2025, the application has now been adjourned to 07.07.2025 for arguments.

3. Keeping in view the nature of directions being issued, which are not to prejudice of any of the parties, service of notice on the respondent has been dispensed with.

4. In view of the facts aforementioned, it appears, *prima facie*, that decision on the petitioner's application seeking recall of the warrant of attachment is hanging fire for no valid reasons. Be that as it may, without examining the fallacy, this Court deems it appropriate to dispose of the petition with a direction to the Executing Court to finally decide the application, dated 15.02.2023, within six weeks from today.

02.07.2025

Ad

**(TRIBHUVAN DAHIYA)
JUDGE**

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No