

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). _____ OF 2026
(@ SPECIAL LEAVE PETITION (C) NO(S). _____ OF 2026)
[@ D.NO. 50814 OF 2025]

M/S BHARAT COKING COAL LIMITED

Appellant(s)

VERSUS

M/S. ANNAPURNA CONSTRUCTION

Respondent(s)

O R D E R

1. Delay condoned.
2. Leave granted.
3. This appeal is directed against the order dated 15.04.2025 by which the High Court in a Petition filed by the appellant under Article 227, affirmed the order dated 20.09.2022 passed by the Executing Court and dismissed the writ petition. The High Court held that the Executing Court was competent to interpret the award for the purposes of execution. The High Court has negatived the contention of the appellant, that the award does not mention the date from which the interest is payable on the award and, therefore, the respondent is entitled to interest with effect from 02.09.2005 i.e., the date on which the second award was passed.

Signature Not Verified

Digitally signed by
KAPIL TANDON
Date: 2025.10.28
14:55:19 IST
Reason: []

We have heard the learned counsel for the respective parties at length.

5. For the purpose of this appeal, suffice it to say that the second award which was passed on 02.09.2005 and dealt with claim nos. 7 and 11. The second award does not mention the date from which the interest is payable. Therefore, as regards claim nos. 7 and 11, the interest is required to be computed in consonance with Section 37(1)(b) of the Arbitration and Conciliation Act, 1996. Hence, it is clarified that the respondent shall be entitled to interest insofar as claim nos. 7 and 11 are concerned from the date of the second award i.e., 02.09.2005.

6. To the aforementioned extent, the orders passed by the High Court and the Executing Court are modified.

7. Accordingly, the appeal is disposed of.

8. Pending interlocutory application(s), if any, shall stand disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
OCTOBER 27, 2026

ITEM NO.17

COURT NO.4

SECTION XVII-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 50814/2025

[Arising out of impugned final judgment and order dated 15-04-2025 in CMP No. 879/2022 passed by the High Court of Jharkhand at Ranchi]

M/S BHARAT COKING COAL LIMITED

Petitioner(s)

VERSUS

M/S. ANNAPURNA CONSTRUCTION

Respondent(s)

[FOR FINAL DISPOSAL]

IA No. 44310/2026 - CONDONATION OF DELAY IN FILING

IA No. 44314/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

IA No. 44311/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 44312/2026 - PERMISSION TO FILE LENGTHY LIST OF DATES

Date : 27-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) :Mr. Amit Sharma, AOR
Mr. Dipesh Sinha, Adv.
Ms. Pallavi Barua, Adv.
Ms. Aparna Singh, Adv.

For Respondent(s) :Mr. P.K.Bhattacharya, Adv.
Mr. Haraprasad Sahu, Adv.
Mr. Pranaya Kumar Mohapatra- 2358, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. Leave granted.
3. The Civil Appeal is disposed of in terms of the Signed Order.

4. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)
ASTT. REGISTRAR-cum-PS

(NIDHI WASON)
ASSISTANT REGISTRAR
(Signed Order is placed on the file)