

M. .S. - 29/2022(CC)

**Present :: Neyaz Alam  
Judge Commercial Court at Rajarhat  
North 24 Parganas**

**CNR:WBNP19-000101-2022  
J.O Code – WB01398**

13  
**20.06.2022**

Plaintiff files hazira along with extension application.

Defendant files written statement along with a petition seeking time to file opposition to the application under Order XIII A read with Section 151 of CPC filed by the plaintiff.

Today is fixed for hearing of an application under Order XXXVIII Rule 5 read with Order XXXIX Rule 1 & 2 of CPC.

Record is taken up for hearing.

In course of the hearing it is submitted by the plaintiff that this court passed ad-interim relief in the form ;

“the defendant/respondent its men and agents are hereby restrained from dealing with the bank account as mentioned in the schedule ‘A’ of the injunction application without keeping aside a sum of Rs. 74,61,990/- till 20.07.2022”.

And before proceeding further and for effective adjudication of the injunction application it is argued that the amount as stated above must come before the court whether the said amount is available in the account of the defendant otherwise the injunction application will proceed on dead end.

Heard the submission and considering the equity, I am of the opinion none of the parties will be prejudice in any manner if the court is certain that the fund is available.

Hence, it is

**ORDERED**

“the Branch Manager, IndusInd Bank, Dunlop Branch, is hereby directed to disclose/inform before the court whether the amount of a Sum of Rs. 74,61,990/- is available in account of the defendant bearing Account No. 251111124560 by 27.06.2023”.

Plaintiff is directed to serve the copy of the order to the Branch Manager for compliance.

Fix **27.06.2023** for further injunction hearing, compliance thereof and acceptance of written statement.

Let the ad-interim order be extended till the next date.

**Sd/- Neyaz Alam**  
**Judge**  
**Commercial Court,**  
Rajarhat, North 24 Parganas