

Present: Sri Utpal Misra (JO Code:WB00659)
Judge, Commercial Court at Alipore
Arb. Execution Case 05 of 2022
CNR No.WBSP18-000119-2022

Order No. 15
02.12.2023

In the matter of: An application Under
Order 21 Rule 11 of CPC.

And

In the matter of: M/S Cygnus Investments
& Finance Pvt. Ltd.

Vs.

In the matter of: Eastern Rice Mills Pvt. Ltd.
& ors.

O R D E R E D

Today is fixed for S/R and appearance of the remaining Award Debtors.

Award Holder files hazira.

Award Debtor 3,5,and 7 have filed their respective haziras.

*Award Debtor 3,5, and 7 have filed an application under Section 15 of the Commercial Court Act. The same be registered as **I.A. No. 01/2023**. Copy Served.*

The above application is not supported by an affidavit and also not in a proper form.

Considered and the said application is hereby rejected .

*Accordingly the instant application **I.A. No. 01/2023** is hereby disposed off.*

*Award Holder has filed an application for publication of notice in the daily newspaper under Order V Rule 20 (1A) of CPC upon the Judgement Debtor No. 1,2,4,6 and 8. The same be registered as **I.A. No. 02/2023**. Copy Served.*

Heard Ld Advocate on behalf of the Award Holder.

*It also appear from the record that the summons upon the Award Debtor no. 1 returned with the remarks “ **Left**” , Award Debtor no. 2 returned with the remarks “ **Insufficient Address**” , Award Debtor no. 4 returned with the remarks “ **Left**” , Award Debtor no. 6 returned with the remarks “ **Insufficient Address**” , Award Debtor no. 8 returned with the remarks “ **Left**”.*

Perused the petition as well as the case record.

Hence considered and prayer of the petition is allowed.

Accordingly Award Holder is directed to publish the notice upon the said Award Debtors in a widely circulated daily newspaper both in Bengali and English where the said Award Debtors are known to reside.

Accordingly Award Holder is directed to file draft notices for publication at once.

*Accordingly the instant application being **I.A no. 02/2023** is disposed off.*

*Fix **09.01.2024 at 11.30 a.m.** for filing draft notices by the Award Holder.*

Parties are to act on the basis of the downloaded copy of the ordersheet from the website / Ecourtapp.

Dictated & corrected by me,

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*