

**Present: Sri Srikumar Goswami(JO Code:WB00714)**  
**Judge, Commercial Court at Alipore**  
**Money Execution 06 of 2019**  
**CNR. No. WBSP18-000157-2019**

Order No. 35  
29.04.2022

In the matter of:  
Sri Bhagawati Prasad  
Jhunjhunwala and ors..  
Vs.

In the matter of:  
UCO Bank and anr.

**ORDERED**

*Today is fixed for taking steps by the decree holder and hearing of the recalling application being I.A no. 01/2022.*

*Both sides file their respective haziras.*

**I.A No. 01/2022**

*Heard both sides.*

*Perused and considered the instant application alongwith objection if any.*

*Ld. Counsel for the Dhrs. submitted that no stay order has been granted by any superior forum and therefore, as per law, there is no hindrance to pass necessary order for executing the decree.*

*Dhrs. files an affidavit today submitting in Pargraph-2 that no appeal challenging the money decree is pending before any superior forum.*

*However, there was a specific direction to file an affidavit clarifying whether there is any appeal or application or revision is pending challenging the said money decree before any superior forum.*

*Other than appeal, the Jdrs. also have the liberty to file any appropriate application before any superior forum and accordingly, such affidavit is insufficient.*

*However, this Court makes it clear that if no stay order is granted by any superior forum, on the next occasion, this Court will*

*pass necessary order for attachment of the decretal amount as prayed for.*

***The Dhrs. are again directed to make categorical declaration by way of affidavit whether any appeal or application or revision against the impugned decree is pending before any superior forum.***

*Fix 18.05.2022 at 11.30 a.m. for taking further steps by the Dhrs. and hearing of the recalling application being I.A no. 01/2022.*

*Both parties shall act in accordance with the downloaded copy of this order from the Website / Ecourts App.*

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*