

Judge, Commercial Court at Alipore(in-charge)
Money Execution 06 of 2019
CNR No. WBSP18-000157-2019

Order No. 39

Date: 20.07.2022

In the matter of:

Sri Bhagawati Prasad
Jhunjunwala and others.

Vs.

UCO Bank and Anr.

Order

Today is fixed for submitting report of attachment in terms of Order dated 14.02.2022 by the concerned Branch Manager of UCO Bank.

Ld. Regular P.O. is transferred.

Ld. ADJ, FTC-8, Alipore is in charge in addition to her own duties.

Parties to this present proceeding file their respective haziras and also file two separate petitions by way of affidavits wherein both the parties annexed the Order of the Hon'ble High Court in connection with the C.O. No. 606 of 2022 vide the Order dated 13.07.2022. Let the two petitions be kept with record.

On perusal of two petitions it is evident that being aggrieved and dissatisfied with an Order No. 29 dated 14th February, 2022 passed by this Court, the Judgment Debtor, UCO Bank and Anr.

herein, filed an application under Article 227 of the Constitution of India being C.O. No. 606 of 2022 before the Hon'ble High Court at Calcutta and the Hon'ble High Court by an Order dated 13th July, 2022 (for the sake of convenience hereinafter it is to be referred as the said Order) Ordered **"There shall be an unconditional stay of the Order impugned for a period of two weeks from date, subject to the condition that the judgment debtor/bank shall put the decretal amount under execution in an interest bearing Fixed Deposit Account in the name of the decree-holders and file all the original papers of such fixed deposit with the executing court within a week from date."**

In view of said Order Judgment/Bank files a petition along with the fixed deposit being no. FDR A/c No. 09290310063835 dated 19.07.2022 for an amount of Rs. 4,22,24,617.64 p in the name of decree holders and the said Judgment debtor/Bank prays before this Court to keep the said fixed deposit in the custody of the Court. Accordingly, the said fixed deposit has been deposited before this Court.

This Court by considering the said two petitions directs the designated Bench Clerk to deposit the said fixed deposit, as given by the judgment debtor/bank in compliance with the Order dated 13.07.2022 passed in connection with C.O. No. 606 of 2022 by the Hon'ble High Court in a yellow covered file, before the Registrar, Civil Court with a direction to produce the same as per the direction of this Court as and when required.

Designated Bench Clerk is further directed to keep a note by the side of the Order sheet to the effect that it has been deposited before the Registrar, Civil Court, Alipore, South 24 Parganas.


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Hence the instant case is stayed in compliance with the above mentioned direction of the Hon'ble High Court at Calcutta till receipt of further Order from the Hon'ble High Court at Calcutta.


Let copy of this Order be sent to the Registrar, Civil Court, Alipore, South 24 Parganas for her information and taking necessary actions in this regard.

Post the matter on **11th August, 2022 at 12:30** for awaiting the Order of the Hon'ble High Court at Calcutta.

Dictated and corrected by me,


Judge, Commercial Court at Alipore (i/c),
for South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE


Judge, Commercial Court at Alipore(i/c),
for South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE