

OC-96

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
[Commercial Division]

AP-COM/107/2025

L & T FINANCE LIMITED
VS
DEEPAK KUNJBIHARI DAVE

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 16th April, 2025.

Appearance :
Ms. Shrayashee Das, Adv.
Mr. Rohan Kumar Thakur, Adv.
Mr. Tridibesh Dasgupta, Adv.
... for the petitioner.

1. Despite service, none appears on behalf of the respondent. No accommodation is prayed for.
2. The petitioner has made out a, prima facie, case of non-payment of the dues by the respondent, after the 14th instalment. According to the petitioner, a sum of Rs. 17 lakhs is still due and payable. The petitioner refers to the arbitration clause. A demand-cum-loan recall notice was issued and the loan was terminated. The fact that the respondent is not before the Court despite service, indicates that some protection is required for the petitioner as it may be a case where the respondent seeks to frustrate the entire

- claim of the petitioner by removing its assets or money which are lying in the bank account of the respondent.
3. Under such circumstances, the respondent shall not be entitled to operate the bank account, the details of which are stated below, without maintaining a sum of Rs. 15 lakhs as minimum balance in the same.
 4. This order will not be construed as a final adjudication of the quantum of money payable to the petitioner by the respondent. The respondent shall be at liberty to pray for modification of the order. The petitioner shall also be at liberty to inform this order to the Branch Manager of the concerned bank in which the account is maintained. The Branch Manager of the bank shall debit freeze the account upon receipt of communication from the learned Advocate-on-record of the petitioner or the petitioner on the basis of a server copy of this order.
 5. The details of the bank account is as follows:

Account No.	10055749133
Bank Name	IDFC Bank Limited.
Branch	Ground & First Floor, Unit No 001 & 101, Konark Apartment, The Gurjar Apartment CHS Ltd Roshan Nagar, Chandavarkar Lane, Borivali (West), Mumbai 400092.

IFSC Code	IDFB0040111
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6. Let a fresh service be effected upon the respondent and the affidavit of service shall be filed on the next returnable date.
7. Let this matter appear in the monthly list of June, 2025.
8. Thus, interim order shall continue for a period of three months from date.
9. The petitioner will take steps for appointment of an arbitrator.

(SHAMPA SARKAR, J.)

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