

ODC 21

ORDER SHEET
EC/73/2023
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

KOTAK MAHINDRA BANK LTD.
VS
VIJAY BASAPPA SHILIN AND ORS.

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date: 26th April, 2023.

Appearance:

Mr. Paritosh Sinha, Adv.

Mr. Soubhik Chowdhury, Adv.

The Court: This is an application for enforcement of an award dated 26th September, 2017. The award is for a sum of Rs.26,88,290.71/-. It is submitted on behalf of the decree holder that the award has become final, binding and enforceable and remained unsatisfied till date. By an order dated 1st February, 2023, the Department was directed to issue a notice under Order 21 Rule 22(1) of the Code of Civil Procedure. It appears from the report filed by the Department that service has been effected on the judgment debtor nos. 1 and 2.

In view of the aforesaid, let there be an order in terms of prayer (a) of the Tabular Statement as against judgment debtor nos.1 and 2.

The judgment debtors are directed to file their affidavit of assets within a period of twelve weeks from date.

It is made clear that in default of filing of such affidavit of assets, appropriate orders for issuance of warrant of arrest would be issued against the judgment debtors.

None appears on behalf of the judgment debtors nor is any accommodation sought for on their behalf.

The decree holder is directed to effect service on the judgment debtors and file an affidavit of service on the returnable date.

Let this matter appear fourteen weeks hence.

(SHEKHAR B. SARAF, J.)

sp/