

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

EC/37/2021

M/S CHOLAMANDALAM
INVESTMENT AND FINANCE COMPANY LIMITED
VS
RAJIB SARKAR AND ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 28th July, 2023.

Appearance:

Ms. Pooja Sett Chakraborty, Adv.
...for the award-holder

Ms. Amrin Khatoon, Adv.
...for the judgment-debtor no 3

The Court: The Advocate-on-Record, Ms. Khatoon, who is present in Court, proposes to represent the judgment-debtor no. 3. Ms. Khatoon seeks to rely on an order passed in 2019 by a learned Single Judge of this Court whereby the presence of the judgment-debtor no. 3 was exempted. She, however, does not have a copy of the order and seeks time on this basis.

The judgment-debtor no. 2 is produced in Court today. According to the Advocate-on-Record of the petitioner/award-holder the judgment-debtor no. 2 is a co-borrower of a loan of approximately Rs.8 lakhs given to the judgment-debtor nos. 1 and 2. The judgment-debtor no. 3 was the guarantor. The judgment-debtor no. 2 does not have an Advocate to represent him.

List this matter on 8th September, 2023 for the judgment-debtor no. 2 to approach the State Legal Services Authority or the High Court Legal Services Authority for engaging a suitable lawyer subject to the judgment-debtor no. 2 being eligible for such under the Legal Services Authority Act, 1987.

The judgment-debtor no. 3 will also be present on the returnable date.

The warrant of arrest shall be kept in abeyance till the returnable date.

(MOUSHUMI BHATTACHARYA, J.)

T.O.
A.R. (C.R.)