

OCD-25

ORDER SHEET

EC/17/2022

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

JM FINANCIAL ASSET RECONSTRUCTION COMPANY LIMITED
VS
VIBHUTE DATTATRAY SHAMRAO AND ANR.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 21st August, 2024.

Appearance:

Mr. K. K. Pandey, Adv.

Mr. Gyan Prakash, Adv.

... for the award-holder

Mr. Anirban Kar, Adv.

Mr. Munshi Ashiq Elahi, Adv.

Ms. Snigdha Das, Adv.

... for the award-debtor

The Court: Learned counsel for the award-holder submits that the award-debtor no.1 had been examined on a preliminary basis and the matter was to be listed for further examination. However, in all fairness, it is also pointed out that an objection as to jurisdiction had been taken by the award-debtor. However, it is submitted that in the absence of any appropriate application raising the issue of jurisdiction, the same cannot be urged by the award-debtor.

Learned counsel appearing for the award-debtors places reliance on the order dated December 8, 2023 where it was categorically recorded that although the award-debtor no.1 had been examined on a preliminary basis, the matter was to appear on the next date for hearing the jurisdiction/objection of the award-debtor. As such, no further application is necessitated since the intention of the Court was abundantly clear on such count.

Since learned counsel for the award-holder seeks some time to come prepared on the issue of jurisdiction, the matter is adjourned till August 29, 2024, when it will be placed in the list under the same heading for the purpose of hearing learned counsel for the parties on the objection as to jurisdiction.

Learned counsel are requested to come prepared with their brief written notes of arguments on the said issue on the next returnable date.

(SABYASACHI BHATTACHARYYA, J.)