

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

EC/17/2022

JM FINANCIAL ASSET RECONSTRUCTION COMPANY LIMITED

VS

VIBHUTE DATTATRAY SHAMRAO AND ANR.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 21st March 2025.

Appearance:

Mr. K. K. Pandey, Advocate
Ms. Pooja Sett, Advocate
Ms. ManikaBothra, Advocate
... foraward-holder.

1. None appears on behalf of the award-debtors, in spite of service upon award-debtor No.2.
2. The affidavit of service is taken on record.
3. It is submitted that the award-debtors are husband and wife and reside in the same premises. Mr. Pandey submits that the award-debtor No.1 is avoiding service. On the last occasion, he was represented by his learned advocate who has since stopped appearing.
4. This Court finds from the affidavit of assets filed by the award-debtor No.1 that all the properties are outside the ordinary original jurisdiction of this Court and hence this Court cannot be the executing court. The proceeding is required to be transferred to the appropriate. However, on the prayer of Mr. Pandey that the service upon the award-debtors is not

complete, further service upon the award-debtors is directed to be effected. The award-debtor No.2 shall file affidavit of assets indicating whether any property is within the jurisdiction of this Court and whether the execution can proceed against those properties.

(SHAMPA SARKAR, J.)

S. Kumar / R.D. Barua