

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

EC/9/2024

IA NO: GA/1/2024, GA/2/2024, GA/3/2024, GA/4/2025

DIPANKAR BANERJEE
VS
SUVANKAR BANERJEE

BEFORE:

The Hon'ble JUSTICE ANANYA BANDYOPADHYAY

Date: 22nd January, 2026.

Appearance:

Mr. Rupak Ghosh, Adv.

Ms. Tiana Bhattacharyya, Adv.

Mr. Dilip Kumar Ghosh, Adv.

...For the Decree-holder.

Mr. Dipak Dey, Adv.

Mr. Dipanjan Dey, Adv.

Ms. Sucheta Mitra, Adv.

...For the Judgment-debtor.

The Court :- The Learned Advocates representing the decree-holder as well as the judgment-debtor are present.

The Learned Advocate representing the judgment-debtor referred to an order passed by the Division Bench of this Court wherein the proceedings in EC 10 of 2024 had been stayed.

The Learned Advocate representing the decree-holder submitted the instant application IA NO.GA/4/2025 filed in EC 9 of 2024 will not affect in any way the other proceedings being challenged in an appeal on the ground of dissimilar liabilities and obligations in respect of the present applicant. However, such contentions have been opposed by the Learned Advocate representing the judgment-debtor emphasizing that the subject matter in EC 9 of 2024 and EC 10 of 2024 are identical and therefore the present amendment in the execution application sought for cannot be granted. He has further objected on the point of maintainability.

The Learned Advocate representing the judgment-debtor is to file affidavit-in-opposition to the instant application. A copy of the same is to be served upon the applicant for filing affidavit-in-reply, if any, prior to the next date of hearing.

Next date be fixed on 26th February, 2026.

In the meantime, the affidavit-in-opposition and the affidavit-in-reply are to be exchanged between the parties.

(ANANYA BANDYOPADHYAY, J.)