

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

IA No. GA/1/2024

In

EC/10/2024

SUMITRA BHATTACHARJEE
VERSUS
SUVANKAR BANERJEE

BEFORE:

The Hon'ble JUSTICE BIVAS PATTANAYAK

Date: 26th June, 2024.

Appearance:

Ms. Tiana Bhattacharyya, Adv.

Mr. Dilip Kumar Ghosh, Adv.

For the decree-holder.

Ms. Noelle Banerjee, Adv.

Mr. Dipak Dey, Adv.

Mr. Aniket Ojha, Adv.

Ms. Sucheta Mitra, Adv.

For the judgment debtor.

The Court:- Ms. Noelle Banerjee, learned advocate for the judgment debtor indicates that the Tabular Statement appended to the execution case is defective since the amount of debt due on the decree under column-7 of the application for execution of the decree under Order XXI Rule 11 of the Code of Civil Procedure, 1908 has not been mentioned.

In reply to such contention Ms. Tiana Bhattacharyya, learned advocate for the decree-holder, relying on Order XXI Rule 17 of the Code seeks leave to cure such defect.

Leave is granted to the decree-holder to cure the defect in the tabular statement in column-7 of the application for execution under Order XXI Rule 11 of the Code of Civil Procedure, 1908 by incorporating the amount of debt due upon such decree in the tabular statement within a period of two weeks from date.

Leave is also granted to the decree-holder to cure the date of decree appearing in the affidavit at paragraphs 11, 12 and 13.

List this matter on 15th July, 2024.

(BIVAS PATTANAYAK, J.)

snn.