

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

EC/446/2018  
PATREX VYAPAAR LIMITED  
VS  
URBAN INFRA NIRMAAN PRIVATE LIMITED

EC/221/2018  
PATREX VYAPAAR LIMITED  
VS  
URBAN INFRA NIRMAAN PRIVATE LIMITED

BEFORE:  
The Hon'ble JUSTICE RAVI KRISHAN KAPUR  
Date : 28<sup>th</sup> November, 2023.

*Appearance:*  
*Mr. Rishad Medora, Adv.*  
*Ms. Ajeyaa Choudhury, Adv.*  
*Mr. Dipendra Nath Chunder, Adv.*  
*...for the award-holder.*  
  
*Ms. Noelle Banerjee, Adv.*  
*Mr. Avijit Dey, Adv.*  
*...for the award-debtor.*

The Court: This is an application for execution of an award dated 23 April, 2018 for approximately Rs.7 crores.

During the cross-examination of the award-debtor, namely, one Mr. Rajesh Goenka, it has transpired that each of the said plots is encumbrance-free and can be sold in the market. The award-debtor personally assures this Court that there is no embargo, encumbrance or litigation or any third party interest in respect of any of the aforesaid properties.

In such circumstances, Mr. Sourodip Banerjee, a member of the Bar Library Club, is appointed as a Receiver to take steps to sell the premises in satisfaction of the decree. The Receiver shall be paid a remuneration of 2000 gms. at the first instance. The Receiver shall take all necessary steps to carry

out a public auction of each of the aforesaid premises and also take steps for valuation of the aforesaid premises at the first instance.

The award-holder is directed to make all necessary payments to carry out the aforesaid directions at the first instance which would be reimbursed by the award-debtor.

In the meantime, there shall will be an order for attachment of each of the bank accounts of the award-debtor, particulars whereof appear at paragraph 4 of the Affidavit of Assets.

The award-debtor is directed to give revised figures of stocks and share as indicated in paragraph 4 sub-paragraph (b) of the Affidavit of Assets.

Let this matter appear along with application by the award debtor under Section 34 of the Arbitration & Conciliation Act, 1996 being AP No.108/2017 and AP No.578/2018 on the returnable date.

The award-debtor is examined in part.

Let this matter appear for further hearing on 14 December, 2023.

(RAVI KRISHAN KAPUR, J.)