



OD 2

ORDER SHEET
EC/334/2019
IA No. GA/2/2020
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

SANJEEV MEHERA
VS
STANDARD CHARTERED BANK AND ORS

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date: 5th September, 2023.

Appearance:
Mr. Jayjit Ganguli, Adv.
Mr. P. Sanchiti, Adv.
Mr. D. Dinda, Adv.
. . .for the award holder.

Mr. C. Agarwal, Adv.
Ms. Sanchali Bhowmik, Adv.
. . .for the award debtor.

The Court: It is to be noted that in this matter an order was passed by this Court on 12th April, 2023 directing the award debtors to file their affidavit of assets within a period of three weeks from date. Against the said order, the award debtors went up in appeal before the Division Bench which directed them to file their affidavit of assets without prejudice to the rights and contentions in the execution proceeding. The above Division Bench order was passed on 21st June, 2023. Till date there is no affidavit of assets that has been filed before this Court. Accordingly, not only is there a violation of the Division Bench order but also the order passed by



this Court which directed for filing of affidavit of assets within a period of three weeks from date on 12th April, 2023.

Counsel appearing on behalf of the award debtors seeks further time to file their affidavit of assets. It is clear from the record of the proceedings that the award debtors are procrastinating and creating an inordinate delay that is leading to the award holder not being able to enjoy the fruits of the award. This kind of practice has been deprecated not just by this High Court but also by the Apex Court of the land.

Accordingly, let warrant of arrest be issued against the directors of Cold Gold Syntex Pvt. Ltd. namely, Mr. Ajay Prakash Jhunjunwala having its registered office at 7B, Pretoria Street, Kolkata – 700071, West Bengal and Mr. Siddhartha Ray having its registered office at AL – 215 Salt Lake City, Sector II, Kolkata – 700091, West Bengal. The above order shall not preclude the award debtors from filing their affidavit of assets within a period of one week.

In the event the same is done, the matter be mentioned before this Court for further orders.

The warrants of arrest are made returnable three weeks hence.

The order to be communicated immediately to the police station concerned.

Affidavit in reply filed in the execution application be taken on record.

(SHEKHAR B. SARAF, J.)