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

EC/16/2025
AJAY KUMAR AGARWAL
VS
GREEN CONCRETEX GLOBAL LIMITED

BEFORE:

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date: 14th August, 2025.

Appearance:
Mr. Aurin Chakraborty, Adv.
Mr. Pradeep Sancheti, Adv.
Mr. Jatan Monga, Adv.
.... For the Decree-holder.

The Court: Learned Advocate for the decree-holder is present.

Learned Advocate filed affidavit of service in which it appears that the registered envelope sent to the judgment debtor has returned with the postal remark "ACNL RTS".

It is not clear as to whether the judgment debtor is still carrying out business in the said jurisdiction or not. However, as this decree is not two years old, at this stage this Court is of the view that it would be proper that the part of the decretal amount which is lying with the Registrar, Original Side be released under certain conditions, as the appeal which is preferred by the judgment debtor is also dismissed.

Thus, Rs. 40 Lakh which is lying with the Registrar, Original Side be released in favour of the decree-holder upon compliance of all the necessary undertakings required under the rules. The said amount should be kept aside in a particular account by the decree-holder and shall not be operated without leave of this Court.

Such release may be made by the Registrar, Original Side within eight days from the date of communications of the order upon compliance of the necessary formalities.

In the said facts and circumstances, this Court is of the view, that a Special Officer should be appointed to enquire and ascertain as to whether the judgment debtor is carrying on the business at the address mentioned in the cause title. The learned Special Officer shall cause enquiry upon notice to learned Advocate for Decree-holder and visit the area personally to intimate the order passed by this Court, to the Judgment-debtor. Mr. Gautam Das, learned Advocate (Mob.890275454 and 70446908099) is appointed as Special Officer. Copy of the petition be served upon the Special Officer. The Special Officer is entitled to a remuneration of 600 GM to be paid by Decree-holder.

Let this matter appear on 4th September, 2025 for report of the Special Officer and further orders.

(BISWAROOP CHOWDHURY, J.)