

OD-18

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

EC/355/2019

POONAWALLA FINCORP LIMITED
VS
RAJESH ACHCHHEVAR SHAH @ RAJES SHAH AND ORS.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 5th December, 2023.

Appearance:
Mr. Paritosh Sinha, Adv.
Mr. K.K. Pandey, Adv.
Ms. Enakshi Saha, Adv.

The Court : This is an application for execution of a decree dated 30 March, 2018 for a sum of approximately Rs.18,79,064/-. It is submitted on behalf of the award holder that there is no embargo in proceeding with this execution application.

It is also submitted on behalf of the award holder that save and except a sum of Rs.3,95,150/- no further amount has been paid by the award debtor.

Repeated orders have been passed for production of the judgment debtor in view of the failure to file an Affidavit of Assets. A Report filed by the Deputy Sheriff pursuant to an order of Court suggests that the “warrantee is unavailable on medical grounds”.

In such view of the matter, the time to execute the warrant of arrest stands extended till 31 January, 2024.

Let this matter appear in the Monthly List of January, 2024.

The Officer in Charge of the concerned Police Station and the Superintendent of Police having jurisdiction where the judgment debtor resides are directed to ensure compliance with this direction.

The Deputy Sheriff is also directed to file a fresh Report on or before the returnable date.

(RAVI KRISHAN KAPUR, J.)

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