

EC/41/2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

IN THE MATTER OF :
SMT. MITA SURANA
VS
SURENDRA SINGH BANGANI

BEFORE:

The Hon'ble JUSTICE BIVAS PATTANAYAK

Date: 5th August, 2024.

APPEARANCE:

Mr. Tamaghna Saha, Adv.
Mr. Abhimonyu Roy, Adv.
for the plaintiff/deGREE holder

The Court : This application has been filed for execution of decree dated 7th July, 2023 under Order XXI Rule 11 of the Code of Civil Procedure, 1908.

Mr. Tamaghna Saha, learned advocate for the decree holder submits that the decree has been passed on judgment on admission. As per the decree passed by this Hon'ble Court, the decree holder is entitled to an amount of Rs.53,87,114.35 including interest. In order to secure the decretal amount, he prays for an order of injunction restraining the judgment debtor from alienating the properties owned by them more fully described in paragraph no. 15 of the application.

Perused the decree dated 7th July, 2023.

As per the application for execution of the decree, the decretal amount is of Rs.35,32,534.00 and the interest accrued thereon is Rs. 18,54,580.35. It is

contended by the decree holder in paragraph no.15 of the application that the properties, namely, (A) Office at Rampuria Chambers, 4th Floor, Clive Row, Kolkata-700001 (B) Residential Flat at P-17, Manmohan Bose Street, Kolkata-700006 are owned and possessed by the judgment debtor. It is further the case of the decree holder that despite passing of the judgment and decree, the judgment debtor had failed and neglected to make payment of the decretal dues along with interest thereupon.

Bearing in mind the aforesaid and in order to secure the decretal amount and the interest thereon, the judgment debtor is restrained from dealing with and/or disposing of and/or alienating with the assets, namely, (A) Office at Rampuria Chambers, 4th Floor, Clive Row, Kolkata-700001 (B) Residential Flat at P-17, Manmohan Bose Street, Kolkata-700006.

Let notice be issued upon the judgment debtor.

Learned advocate for the decree holder prays for leave to make necessary corrections in the prayer portion at column 10 of the Tabular Statement.

Leave granted.

Let the matter appear in the monthly list of September 2024.

(BIVAS PATTANAYAK, J.)

Sb/