

OD-8

ORDER SHEET

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

SMT. MITA SURANA
VS.
SURENDRA SINGH BENGANI

BEFORE:

The Hon'ble JUSTICE BIVAS PATTANAYAK

Date: 10th September, 2024.

Mr. Tamaghna Saha, Mr. Abhimonyu Roy, Advocates
for the decree holder.

Mr. Virendra Singh Bengani, Adv. for judgment debtor.

The Court : Mr. Tamaghna Saha, learned Advocate for the decree holder submits that 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 such decretal amount, he prays for an order of injunction restraining the judgment debtor from operating its bank account appearing at paragraph 14 of the affidavit without leaving apart a sum of Rs.53,87,114.35. He also submits that direction be issued upon the judgment debtor to file affidavit disclosing the assets and properties, both movable and immovable. He seeks for order in terms of prayers (c) and (f) of the Tabular Statement.

Mr. Virendra Singh Bengani, learned advocate for judgment debtor seeks accommodation to file affidavit of assets.

It is the categorical case of the decree holder that after passing of the decree the judgment debtor has failed and neglected to make payment of the decretal dues along with accrued interest.

Bearing in mind the aforesaid and for securing the decretal amount and the interest thereon, the judgment debtor is restrained from operating its bank account, more fully described in paragraph 14 of the affidavit at Vijaya Bank, N.S. Road Branch being Account No.721801077003342 without leaving apart a sum of Rs.53,87,114.35 until further orders.

The judgment debtor is further directed to file affidavit of assets by the returnable date.

Let there be orders in terms of prayer (c) and (f) of the Tabular Statement.

List this matter on 11th November, 2024.

(BIVAS PATTANAYAK, J.)