

Supplementary list

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(COMMERCIAL DIVISION)

EC/333/2021

POONAWALLA FINCORP LIMITED
VS
M. R. ENGINEERING AND ORS.

BEFORE:
The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA
Date : 28th August , 2023.

Appearance:
Mr. K. K. Pandey, Adv.
...for the petitioner

Mr. Purnasis Bhuniya, Adv.
...for the judgment-debtors

The Court:- The judgment-debtor no.2 surrendered before the Deputy Sheriff today morning, i.e., on 28th August, 2023 and is produced in court.

It appears that a Co-ordinate Bench recorded the failure of the judgment-debtors to file affidavits of assets and issued a warrant of arrest by the order dated 7th February, 2022.

The judgment-debtor no.2 has made preliminary deposition to Court. The judgment-debtor no.2 claims that he is seriously indisposed; first, by reason of Covid and second, for "brain damage".

It appears from the records that the judgment-debtors were directed to file their respective affidavits of assets by an order dated 13th December, 2021 passed by a Co-ordinate Bench. The affidavits of assets are still awaited.

The statement given by the judgment-debtor no.2 that affidavit of assets will be filed within four weeks from today is to be treated by the Court as the last and final opportunity for the judgment debtor no.2 to comply with the orders passed by the Court. The judgment debtor no.3, who is the wife of the judgment no.2, shall also file her affidavit of assets within four weeks from date.

List this matter after six weeks.

The warrant of arrest shall be revived if there is any default of this direction on the part of the judgment-debtors,.

The warrant of arrest is kept in abeyance till further orders.

(MOUSHUMI BHATTACHARYA, J.)