

OD-2

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

AP/198/2024

ASHISH DAS
VS
CHOLAMANDALAM INVESTMENT AND FINANCE COMPANY
LIMITED AND ANR.

BEFORE:

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 18th October, 2024.

[Vacation Bench]

Appearance:
Mr. Sankar Nath Mukherjee, Adv.
Mr. Niraj Gupta, Adv.
Ms. Manisha Paswan, Adv.
...for the petitioner

Mr. Ranjit Singh, Adv.
Ms. Tutul Das, Adv.
Mr. Amar Singh, Adv.
Ms. Kaberi Mukherjee, Adv.
...for the respondents.

The Court:- Learned Advocate for the petitioner and learned Advocate for the respondents are present.

Heard learned Advocate for the petitioner.

It is the contention of the petitioner that the suit vehicle bearing No.WB-57E-1312 was stolen and the same is lying in the custody of the police authority. It is further contended that although the vehicle is lying in the custody of the police authority but the respondents are threatening the petitioner that they will take the possession of the vehicle.

Learned Advocate for the respondents appears and disputes the submissions and states that the respondents have no knowledge regarding the theft of the said vehicle.

In the facts and circumstances, this matter should be decided upon filing of affidavit. With regard to the release of the vehicle by the police authority, the same may be done in accordance with law. As the petitioner is apprehending the seizure of vehicle by the respondents, the prayer for injunction may be renewed after obtaining possession of the vehicle and upon completion of the affidavits.

Let Affidavit-in-Opposition be filed by 8th November, 2024; Affidavit-in-Reply, if any, by 13th November, 2024.

Let this matter appear on 18th November, 2024.

In the meantime, the parties are permitted to exchange correspondence with regard to the vehicle in accordance with law.

Let affidavit of service be filed in course of the day.

(BISWAROOP CHOWDHURY, J.)