

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

EC-COM/519/2024

BHANWARI LAL JAIN
-VS-
RKD INFRASTRUCTURE PVT LTD.

BEFORE:
The Hon'ble JUSTICE PARTHA SARATHI SEN
Date : 7th March, 2025.

Appearance:
Ms. Sanchari Chakraborty,
Adv.
Ms. Akansha Chowdhury,
Adv.
...for decree Holder.

The Court :- 1. Ms. Chowdhury, learned counsel appearing on behalf of the decree holder, at the very outset, draws attention of this Court to the order dated 14th February, 2025 as passed by this Court.

2. It is submitted by Ms. Chowdhury that the notice along with a server copy of the earlier order as has been sent to judgment debtor returned with an endorsement "Not Claimed".

3. It is further submitted by Ms. Chowdhury that due to paucity of time, the advocate-on-record for the decree holder could not make the affidavit of service ready. Ms. Chowdhury further submits that such affidavit of service can be filed on the next Monday i.e. on March 10, 2025 in the Department.

4. In view of such, liberty is given to the decree holder to file affidavit of service enclosing the returned envelop positively by March 19, 2025 in the Department.

5. Since "Not Claimed" is a good service and since the judgment debtor does not turn up in spite of service and also since the judgment debtor has not filed his affidavit of assets and properties, the Registrar, Original Side is

directed to issue warrant of arrest in the name of the Director(s) of the judgment debtor forthwith and the said warrant of arrest is returnable on the adjourned date.

6. The Registrar, Original Side is also directed to execute the warrant of arrest for production of the Director(s) of the judgment debtor company through the Deputy Sheriff of this Court.

7. Let the matter be listed on April 4, 2025.

(PARTHA SARATHI SEN, J.)