

ODSL -3

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

EC/476/2023

CHOLAMANDALAM INVESTMENT AND FINANCE CO. LTD.

VS

GAFFAR MOLLA AND ANR.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 20th March, 2025.

Appearance:

Ms. Shrayashee Das, Adv.

Mr. Rohan Kumar Thakur, Adv.

.... for the award-holder

Mr. Om Prakash Singh, Adv.

Mr. Ranjit Rajak, Adv.

Ms. Alia Gaffar, Adv.

...for the award-debtors

The Court: The award-debtor no. 1, Gaffar Molla and award-debtor no. 2, Jalil Molla have been produced before the Court upon arrest by the police authorities in execution of the warrant of arrest. They have been administered oath. They have been examined in part.

Considering the deposition of the award-debtor no. 2, this Court is of the view that the hypothecated asset should be attached as the same is lying in a static condition for more than three years. Before such order is passed, this Court is required to ascertain whether the submission of the petitioner is actually correct, with regard to the present location of the vehicle. He has

deposed that the vehicle is lying at Ghosedanga border under Basirhat Police Station. The police authorities of Haroa Police Station shall be accompanied by the petitioner on any date fixed, along with officials of the Basirhat Police Station in order to locate the vehicle and a report shall be filed before this Court with regard to the present condition of the vehicle. The award holder will accompany the police authorities.

Learned advocate representing the award-debtors submits that the vakalatnama will be filed within a week from date. Both the award-debtors shall file their affidavit of assets, giving the details of the assets and other movable and immovable properties with an advance copy to the award-holder.

Let this matter appear on 27th June, 2025.

Both the award-debtors undertake to appear before this Court for examination on the date fixed and file their affidavit of assets.

Both the award-debtors are released from custody.

The warrant of arrests stand discharged.

(SHAMPA SARKAR, J.)