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

EC/507/2016
IA NO: GA/1/2023

J. H. INDUSTRIAL CORPORATION
VS
VIJENDRA KUMAR GOEL

BEFORE:
The Hon'ble JUSTICE SUGATO MAJUMDAR
Date : 11th December, 2023.

Appearance:

Mr. Sourojit Dasgupta, Adv.
Mr. S.G. Muskan, Adv.

Mr. B. Chakraborty, Adv.
Mr. S. Chaudhuri, Adv.

The Court:- Mr. Vijendra Kumar Goel is produced under arrest by Deputy Sheriff of Kolkata. He was arrested today at 10.40am in execution of warrant of arrest issued against him.

Learned Counsel for the judgment debtor submits that he is ready and willing to pay the principal decretal amount; the matter may be heard before the regular Bench but for the present, the interim relief may be given.

Mr. Banerjee, learned Counsel for the decree holder assisted by Mr. Acharya submits that he should not be released at once because he is an absconder and he is not ready and willing to pay the decretal amount.

Heard rival submissions.

The judgment debtor namely, Mr. Vijendra Kumar Goel is released today subject to conditions that he will not leave the jurisdiction of this Court without prior intimation to the local police station namely, Barabazar Police Station; subject to deposit of Rs.3,00,000/- within 48 hours to the learned Registrar, Original Side.

The judgment debtor on dock submits before this Court that he undertakes to deposit 50% of principal decretal amount on or before 1st January, 2024. The balance amount of half of decretal amount minus Rs.3,00,000/- shall be deposited before the learned Registrar, Original Side on or before 4th January, 2024. In case of failure of any of the condition, his release shall stand cancelled and he shall be re-arrested.

It is further clarified that his is released today on condition that Rs.3,00,000/- shall be deposited within 48 hours before the learned Registrar, Original Side, in case of failure of which this release shall stand cancelled and he will be re-arrested.

A copy of this order may be sent to the learned Registrar, Original Side, Deputy Sheriff of Kolkata as well as to the Officer-in-Charge of Barabazar Police Station.

It is further clarified that this Court only passes order on interim measure on an exigency of situation.

The matter shall be heard by the regular Bench on payment of decretal amount with interest.

(SUGATO MAJUMDAR, J.)