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

IA NO. GA/3/2024
In EC/507/2016

J.H. INDUSTRIAL CORPORATION
VERSUS
VIJENDRA KUMAR GOEL

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date :16th January, 2024.

APPEARANCE:

Mr. Ajoy Lal Acharya,Adv.

Mr. S. Dasgupta,Adv.

S.G.Muskara,Adv.

...for the decree-holder.

Mr. Subrata Bhattacharya,Adv.

Ms. Dipa Bhattacharya,Adv.

...for judgment-debtor.

The Court: GA No. 3 of 2024 is filed with a prayer for modification of order dated 11th December, 2023.

The judgment-debtor was arrested and produced before this Court. He was released on condition that he will deposit Rs. 3 lakh within 48 hours with the learned Registrar, Original Side. The judgment-debtor undertook on dock to deposit 50 per cent of the principal decretal amount on or before 1st January, 2024. Accordingly, this Court ordered that the amount of half of decretal amount minus Rs. 3 lakh shall be deposited before the learned Registrar,

Original Side on or before 4th January, 2024. It was further directed that in case of failure to fulfill any of the conditions, his release shall stand cancelled and he shall be rearrested.

The instant application is filed on 11th January, 2024, i.e. 7 days after 4th January, 2024 when the deadline was fixed. Till 4th January, 2024, the learned Counsel candidly submitted that he had not deposited the second part of the amount although he deposited within 48 hours Rupees Three lakhs as directed.

Today he has come with a prayer that the balance amount be paid in monthly instalments. The conduct of the judgment-debtor is impeachable. Therefore, the application should not be entertained to defeat the legitimate claim of the decree-holder. Accordingly, GA No. 3 of 2024 stands dismissed. Release of the judgment-debtor is cancelled and he shall be rearrested and produced before the Regular Bench.

(SUGATO MAJUMDAR, J.)