

OD-10

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

EC/507/2016
IA NO.GA/1/2023,GA/2/2023,GA/4/2024
IN THE MATTER OF:
J.H.INDUSTRIAL CORPORATION
VS
VIJENDRA KUMAR GOEL

BEFORE:

The Hon'ble JUSTICE APURBA SINHA RAY
Date : 15th May, 2024

Appearance:
Mr. Sourojit Dasgupta, Adv.
Mr. S.G. Muskara, Adv.
For decree holder
Mr. Subrata Bhattacharyya, Adv.
Mr. Jayanta Kr. Dhar, Adv.
For judgment debtor

The Court : The learned counsel for the judgment debtor wants to file an affidavit-in-opposition against GA/1/2023 filed by the decree holder, inter alia, praying for attachment of the 99% shares of the judgment debtor in connection with BWN Alloys Private Limited.

The learned counsel for the decree holder has submitted that this application has been filed on 28th July, 2023 since then the judgment debtor did not file any affidavit-in-opposition as there was no prayer from the side of the judgment debtor.

The learned counsel of the decree holder has also drawn the attention of this Court to the examination of the judgment debtor in connection with the relevant affidavit of assets filed by him wherein he has admitted that he purchased shares of BWN Alloys Private Limited in the year 2021 in lieu of Rs. 2,40,00,000/-. As the said shares have been purchased by the judgment debtor long after passing of the decree, the said shares should be attached. Learned counsel has further pointed out that he shall take appropriate steps praying for appointment of Receiver in this case.

The learned counsel for the judgment debtor has submitted that he has already paid Rs. 10,25,000/-.

It appears that a huge decretal amount is to be payable from the side of the judgment debtor. I find merits in the submission of the learned counsel for the decree holder.

Let there be an order in terms of prayer (a) of the application being GA/1/2023 excepting the prayer for appointment of Receiver.

List the matter on 12th June, 2024.

(APURBA SINHA RAY, J.)