

ODC 6

EC/17/2021
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

MAGMA FINCORP LTD.
VERSUS
P GOVINDARAJ AND ANR.

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : 17th November, 2021.

[Via Video Conference]

Appearance:
Mr. Paritosh Sinha, Adv.

The Court: Mr. Sinha, counsel appearing on behalf of the petitioner, submits that he wishes to withdraw the execution application with liberty to file afresh. He submits that the particular account has been assigned to Kotak Mahindra Bank and the execution application is required to be filed by the assignee. He further prays that the original certified copy of the award be returned to the petitioner upon providing a certified photocopy of the same before the Court. Upon hearing the submissions made by the petitioner, this execution petition is dismissed with liberty to the appropriate person to file afresh on the self-same cause of action. Furthermore, the petitioner shall be at liberty to take back the original certified copy of the award upon furnishing certified photocopy of the same before the department.

(SHEKHAR B. SARAF, J.)