

ORDER SHEET

APOT No. 149 of 2021
With
EC No.113 of 2021
IA No. GA 1 of 2021

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

JAGAT SINGH CHOPRA AND ANR.
Versus
RAJ SINGH CHOPRA

Before:
The Hon'ble Justice I. P. MUKERJI
And
The Hon'ble Justice ANIRUDDHA ROY
Date: 28th September 2021.

(Via Video Conference)

Appearance:
Mr. Sakya Sen, Adv.
Mr. Sukrit Mukherjee, Adv.
Mr. Anirban Pramanick, Adv.
Mr. Sabyasachi Bhattacharjee, Adv.

Mr. Sabyasachi Chaudhuri, Adv.
Mr. Sarvapriya Mukherjee, Adv.
Mr. Rajib Mullick, Adv.

The Court: We admit the appeal.

We do not think it necessary to keep this appeal pending. We have heard out the same dispensing with all formalities.

We find no infirmity in the impugned judgment and order of the learned single judge dated 23rd September, 2021 directing the appellant award-debtors to produce the records of bank transactions and bank statements pertaining to the relevant accounts.

At this stage, we observe that when this court was hearing and disposing of the appeal (APOT No.143 of 2021, Jagat Singh Chopra & Anr. Vs. Raj Singh Chopra), learned counsel for the appellants submitted that the entire balance in the accounts mentioned in prayer (e) of the tabular statement was Rs.30 lakhs. Today, he revises his submission by saying that those accounts also pertain to other legal

entities which are different from the judgment debtors but in which they have some kind of a role to play. He submits that the learned executing court has attached those accounts as well. This is in addition to the submission he has always been making that the issues enumerated in our judgment and order dated 17th September, 2021 should be decided prior to passing any attachment order.

Our judgment and order is absolutely clear. We do not want to repeat the observations made therein.

In view of the latest submissions, we only observe that the question whether the accounts mentioned in prayer (e) of the tabular statement referred to in our order dated 17th September, 2021 contains bank accounts other than those belonging to the judgment debtors may also be investigated by the executing court.

On the prayer made by Mr. Sen, learned advocate appearing for the appellants, his clients are given liberty to approach the executing court praying for a direction to furnish such security as the court may deem fit and proper in lieu of the order dated 17th September, 2021 read with the order dated 14th September, 2021 directing the appellants to maintain a minimum balance of Rs.90 lakhs in their bank accounts.

With those observations, this appeal and the connected stay application are disposed of.

As affidavits were not invited, the allegations, if any, contained therein are not deemed to be admitted.

All points are kept open before the executing court.

(I. P. MUKERJI, J.)

(ANIRUDDHA ROY, J.)