

OD-3

ORDER SHEET

APOT No. 198 of 2021
IA No. GA 1 of 2021
With
CS No.283 of 2011
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

SUFIA KHATOON
Versus
ASIF ALI

Before:
The Hon'ble Justice I. P. MUKERJI
And
The Hon'ble Justice ANIRUDDHA ROY
Date: 17th December 2021.

(Via Video Conference)

Appearance:
Mr. Sarvopriya Mukherjee Adv.
Mr. Arif Ali, Adv.
Mrs. Nilofer Siddique Alam, Adv.
Mr. S. Bhattacharjee, Adv.

Mr. C. S. Saha, Adv.

The Court: We admit the appeal

We propose to dispose of it today, dispensing with all formalities.

We have examined the impugned judgment and order dated 4th October, 2021.

The learned Judge seems to have erred in entertaining the view that for withdrawal of the interest amount in terms of the order of the Division Bench dated 13th August, 2013, a further application had to be made to the court and an order obtained from it.

Nothing of that kind is required under the order dated 13th August, 2013. The plaintiff/respondent had the right to receive the interest credited in the Registrar's account, in totality.

In such circumstances, the impugned order is modified and order in implementation of the previous order of the Division Bench dated

13th August, 2013 is made by directing the appellant to furnish her bank account details with the learned Registrar, Original Side, who shall forthwith transfer the interest accrued and credited in respect of Rs.9,25,000/- to the account of the appellant electronically or otherwise. Future credit of interest into the learned Registrar's account shall also be so transferred to the appellant's account as soon as possible after accrual and credit of that interest in the Registrar's account.

The appeal and the stay application are accordingly disposed of.

(I. P. MUKERJI, J.)

(ANIRUDDHA ROY, J.)