

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 25th DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A.No.1542 and 1543 of 2020

A. No.1542 of 2020 :-

M/s. Gimpex Pvt Ltd
Rep. by its Director,
Mr.Binod Choudhury,
No.282, Linghi Chetty Street,
Chennai 600 001.

...Applicant

-Versus-

1. M/s. Aanchal Cement Ltd,
(Formerly known as Ms/. Kalika Cement Ltd),
Rep by its Managing Director,
Mr.Manoj Goel,
No.23-A, N.S.Road, Suit -5, 7th Floor,
Kolkata 700 001.

2. Mr.Manoj Goel,
No.23-A, N.S.Road, Suit -5, 7th Floor,
Kolkata 700 001.

3. Mr.Mukesh Goel,
No.23-A, Nethaji Subhash Road,
Room No.5, 7th Floor,
Kolkata - 700 001.

4. Mr.Seetharaman Goel
No.23-A, N.S.Road, Suit -5, 7th Floor,
Kolkata 700 001.

5. M/s.Aanchal Collection Ltd,
No.23-A, N.S.Road, Suit -5, 7th Floor,
Kolkata 700 001.

...1 to 5 Respondents

6. Karur Vysya Bank Limited
Rep by its General Manager
No.9, Ram Sevak Mulick Lane
(Off) 43, Strand Road,
Burra Bazaar,
Kolkata-700 007

7. State Bank of India
Rep by its General Manager
Nethaji Subhash Road,
Kolkata,
West Bengal-700 001

8. Karur Vysya Bank Limited
Rep by its General Manager
No.9, Ram Sevak Mulick Lane
(Off) 43, Strand Road,
Burra Bazaar,
Kolkata-700 007

9. HDFC Bank,
Rep by its General Manager
JARDINE HOUSE
No.4, clive Row,
Kolkata-700 001
West Bengal

10. Karur Vysya Bank Limited
Rep by its General Manager
SB Towers, 37K Mandir
Shakespeare Sarani
Mullick Bazar
Park Street Area
Kolkata-700 017

11. HDFC Bank
Rep by its General Manager
P-313, CIT Road,
Scheme-VI M,
Near Phool Began
Kakurgachi,

Kolkata - 700 054

12. Karur Vysya Bank Limited
Rep by its General Manager
No.9, Ram Sevak Mulick Lane
(Off) 43, Strand Road,
Burra Bazaar,
Kolkata-700 007

13. HDFC Bank
Rep by its General Manager
P-313, CIT Road,
Scheme-VI M,
Near Phool Bagan
Kakurgachi,
Kolkata-700 054

...6 to 13 Respondents/Garnishees

Application praying that this Hon'ble Court be pleased to issue a prohibitory order prohibiting the Respondents 6 to 13 / Garnishees from paying any amount to the tune of Rs. 9,94,75,009/- (Rupees Nine Crores Ninety Four Lakhs Seventy Five Thousand and Nine Only) to the Respondent 1 to 5 or to any other third persons / parties / group companies and direct the Garnishees to deposit the said amount to the credit of the application.

A.No.1543 of 2020:-

M/s. Gimpex Pvt Ltd
Rep. by its Director,
Mr.Binod Choudhury,
No.282, Linghi Chetty Street,
Chennai 600 001.

...Applicant

-Versus-

1. M/s. Aanchal Cement Ltd,
(Formerly known as Ms/. Kalika Cement Ltd),
Rep by its Managing Director,

Mr.Manoj Goel,
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Kolkata 700 001.

2. Mr.Manoj Goel,
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Kolkata 700 001.

3. Mr.Mukesh Goel,
No.23-A, Nethaji Subhash Road,
Room No.5, 7th Floor,
Kolkata - 700 001.

4. Mr.Seetharaman Goel
No.23-A, N.S.Road, Suit -5, 7th Floor,
Kolkata 700 001.

5. M/s.Aanchal Collection Ltd,
No.23-A, N.S.Road, Suit -5, 7th Floor,
Kolkata 700 001.

...1 to 5 Respondents

Application praying that this Hon'ble Court be pleased to direct the Respondents 1 to 5 to disclose the names and details of all banks where they hold any account whatsoever operated by them either individually or jointly with one another or with 3rd parties, in their names or in the names of their proprietary of them are in control.

These Applications along with O.P.Nos.471 of 2020 & 216 of 2021, O.A.No.266 of 2020 and A.No.2589 of 2020 having been heard on 01.11.2021 in the presence of Mr.P.S.Raman, Senior Counsel for M/s. AAV Partners, Advocates for the Applicant in A.Nos.1542 & 1543 of 2020 and Mr.R.Murari, Senior Counsel for M/s.Karun Mehta, Shreyas.E and

Adithya Reddy, Advocates for the 1st Respondent herein and upon reading the Judges Summons and the affidavit of Binod Choudhury filed herein and having stood over for consideration till this date and coming on this day before this Court for orders in the presence of said advocates for the parties hereto and this Court does not find any infirmity in the Award passed by the learned Arbitrator, accordingly, the same cannot be interfered, it is ordered as follows:-

That these A.Nos.1542 & 1543 of 2020 do stand closed.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 25th DAY OF NOVEMBER 2021.

Sd/-

ASSISTANT REGISTRAR(O.S.-II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

ARS

06/12/2021

A.Nos.1542 and 1543 of 2020

ORDER

DATED : 25.11.2021

THE HON'BLE MR.JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 14.12.2021

APPROVED ON : 16.12.2021