

OD 4 to 7

ORDER SHEET

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

AP/186/2022

LIEBHERR INDIA PRIVATE LIMITED
VS
EMTA COAL LIMITED AND ORS.

EC/234/2022

LIEBHERR INDIA PRIVATE LIMITED
VS
EMTA COAL LIMITED AND ORS.

AP/187/2022

LIEBHERR INDIA PRIVATE LIMITED
VS
EMTA COAL LIMITED AND ORS.

EC/232/2022

LIEBHERR INDIA PRIVATE LIMITED
VS
EMTA COAL LIMITED AND ORS.

BEFORE:
The Hon'ble JUSTICE SHEKHAR B. SARAF
Date: 28th July, 2022.

Appearance:
Mr. Sukanta Chakraborty, Adv.
Mr. Anindya Halder, Adv.
...for the petitioner

Mr. Ratnanko Banerji, Sr. Adv.
Mr. Pushan Majumdar, Adv.
...for the respondents

The Court: Heard counsel appearing on behalf of the parties. Since the execution applications have been filed with respect to the award passed, the respective Section 9 applications have now become infructuous and can, accordingly, be disposed of without passing any further orders in the Section 9 applications. In the event there is any order passed in the Section 9 applications, the same is to be vacated.

With regard to the execution applications, being EC/234/2022 and EC/232/2022, let there be an order in terms of prayer (c) of Column 10 of the Tabular Statement of both the execution applications.

Furthermore, the affidavit of assets filed in Court today once again appears not to be in order. Accordingly, the award-debtors are directed to file fresh affidavit of assets in terms of Order 21 Rule 41(2) in Form No.16A, Appendix-E of the Code of Civil Procedure, 1908 within two weeks from date.

Affidavit of assets filed in Court be taken on record.

The matter is made returnable four weeks hence.

(SHEKHAR B. SARAF, J.)