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IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

EC/194/2019
IA NO: GA/1/2020(Old No:GA/217/2020)

POONAWALLA FINCORP LIMITED
VS
MOHAMMAD SHAKIR AND ORS.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 5th December, 2023.

Appearance:
Mr. Paritosh Sinha, Adv.
Mr. K. K. Pandey, Adv.
Ms. Enakshi Saha, Adv.

The Court : This is an application for execution of a decree dated 30th October, 2018 for an aggregate sum of Rs.24,88,738/-. The execution application was filed as far back as in 2019. Significantly, by the order dated 10th September, 2021, the returnable date of the warrants of arrest had been extended.

Repeated orders have been passed from time to time by different Courts extending the warrants of arrest.

The Report filed by the Deputy Sheriff suggests that no police Report has been filed till date.

The award-holder has not also been suggested any viable mode of execution.

In such circumstances, the pendency of this proceeding or the further issuance of warrants of arrest will not enure to the benefit of the award-holder.

EC/194/2019 stands dismissed.

All connected application being IA No. GA/1/2020(Old GA/217/2020) also stands dismissed.

Liberty is granted to the award-holder to file a fresh execution application if the circumstances so warrant.

Liberty is also granted to the award-holder to take back a copy of the original award after replacing of the same with a photocopy thereof.

(RAVI KRISHAN KAPUR, J.)

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