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

EC/140/2017

M/S OM FINANCE SERVICES
VS
SRI RAJENDRA SINGH & ANR

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 1st September, 2023.

Appearance:
Mr. Ranjit Singh, Adv.

The Court : This is an application for execution of a decree dated 6 November, 2015.

By the decree the award debtors have been directed to pay a sum of Rs.12,51,185/-.

It is submitted on behalf of the award holder that the decree has attained finality and there is no embargo proceeding with this execution application.

Repeated orders have been passed in the execution application.

By an order dated 26 November, 2015 a Receiver had been appointed in respect of the subject vehicle.

The award holder has been appointed in respect of the subject vehicle in an application under Section 9 of the Arbitration and Conciliation Act, 1996 passed by the City Civil Court, Kolkata.

The Receiver is represented and submits that no steps have been taken in this proceedings by the award holder.

The Receiver continues to be in possession to the subject vehicle in terms of the order dated 26 November, 2015.

In view of the lackadaisical and indolent manner in which the decree holder has conducted this execution proceeding, EC/140/2017 stands dismissed.

It is quite obvious that the decree holder has not been diligent in proceeding with the execution application and has obtained orders from Court with no intent of satisfying the decree.

The Receiver stands discharged

Interim orders, if any, stand vacated.

EC/140/2017 stands dismissed.

(RAVI KRISHAN KAPUR, J.)