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

EC/151/2017

INDUSIND BANK LTD.
VS
RASHIDA BEGUM & ANR.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 5th December, 2023.

Appearance:
Mr. Aritra Basu, Adv.
Ms. A. Singh, Adv.

Mr. Pradeep Pandey, Adv.

The Court : It is submitted on behalf of the award-holder that despite an order dated 12th October, 2023, the decree-holder was unable to put in the requisites to ensure issuance of warrants of arrest. By an order dated 12th October, 2023, in view of the deliberate disobedience of the judgment-debtor no. 2 in not filing of their Affidavit of Assets, an order for warrant of arrest was issued against him.

It is obvious that the decree-holder has not been diligent in proceeding with this execution application and there has been inordinate delay in complying with the orders of Court.

The matter has been pending since 2017 and it is reasonable to expect that decree-holder should have been more diligent in seeking execution of the decree.

In such circumstances, EC/151/2017 stands dismissed.

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

Liberty is granted to the award-holder to file an execution application in accordance with law after obtaining necessary instructions.

(RAVI KRISHAN KAPUR, J.)

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