

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

EC/378/2018
KOTAK MAHINDRA BANK LTD
VS
RAM PRAVESH SINGH & ANR.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 16th October, 2023.

Appearance:
Mr. Rohan Kumar Thakur, Adv.
...for the award-holder.

The Court: It is submitted on behalf of the award-holder that they have been unable to effect service of this application on the award-debtors.

The matter has been pending since 2018. By an order dated 20 September, 2021 an accommodation was granted to the award-holder to effect service of notice on the award-debtors. Thereafter, the matter was adjourned on 28 July, 2023 and 28 August, 2023 respectively.

It is submitted on behalf of the award-holder that they have been unable to effect service till date.

It is obvious that the award-holder has not proceeded diligently with this application.

In such circumstances, EC/378/2018 stands dismissed for non-prosecution.

Liberty is granted to the award-holder to file a fresh execution application after ascertaining the whereabouts of the award-debtors in accordance with law.

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

(RAVI KRISHAN KAPUR, J.)