

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

EC/435/2018
KOTAK MAHINDRA BANK LTD.
VS
DURGESH KUMAR DIXIT & ANR.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 20th December, 2023.

Appearance:
Ms. S. Das, Adv.
...for the award-holder.

The Court: This is an application for execution of an award dated 5 August, 2013 for an amount of Rs.28,37,349/-. Diverse orders have been passed from time to time. In view of repeated orders which have been passed in this proceeding and the fact that the award holders have not been able to ascertain the exact whereabouts of the award debtor, no purpose would be served in keeping this application pending any further.

The Report filed by the Deputy Sheriff dated 20 December, 2023 be kept with the records.

It appears from the said Report that, the award-debtor no.1 has expired and no further communication has been received insofar as the award-debtor no.2 is concerned.

In such circumstances, EC/435/2018 stands dismissed.

Liberty is granted to the award-holder to file a fresh execution application if the circumstances so warrant after obtaining necessary particulars in accordance with law.

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

(RAVI KRISHAN KAPUR, J.)