

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

EC/167/2011

BUNGE AGRI BUSINESS SINGAPORE PTE.LTD.
VS
SWASTIK REFINERY PVT.LTD.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 15th June, 2023

*Appearance:-
Mr. Abhrajit Mitra, Sr. Adv.
Mr. Sarvapriya Mukherjee, Adv.
Mr. Aviroop Mitra, Adv.
...for the applicant*

The Court:- It is submitted on behalf of the decree-holder that by an order dated 15th March, 2022 a proceeding being CP(IB) No. 119/KB/2021 has been initiated against the judgment-debtor before the National Company Law Tribunal, Kolkata Bench.

In view of the aforesaid and the moratorium period being enjoyed by the judgment-debtor, no purpose would be served in keeping this execution application pending.

EC/167/2011 stands disposed of as infructuous.

Liberty is granted to the decree-holder to lodge its claim within a period of 14 days from date, with the Resolution Professional under the Insolvency and Bankruptcy Code, 2016.

Liberty is also granted to the decree-holder to file an appropriate application for execution, if the circumstances so warrant.

(RAVI KRISHAN KAPUR, J.)

T.O.
A.R. (C.R.)