

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

EC/312/2012
IA No.GA/2/2020 (Old No.GA/549/2020)

KOTAK MAHINDRA BANK LTD.
VS
SUNIL DAS & ANR.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 10th August, 2023.

Appearance:
Mr. S. Das, Adv.
...for the decree-holder.

Mr. Rajsekhar Basu, Adv.
Ms. Sananda Bhattacharya, Adv.
...for the judgment-debtors.

The Court: In view of the order dated 26 July, 2011, there is no scope for this Court to entertain the execution proceedings.

Significantly by the order dated 26 July, 2011 it was held that “At the request of the decree-holder, the decree is transmitted to the Court of the District Judge, Jamshedpur, Jharkhand for execution in such Court”. It was also recorded that “no part of the decretal claim has been satisfied”.

In such circumstances, there is no question of executing this decree.

In view of the categorical submission as recorded in the order dated 26 July, 2011, EC/312/2012 alongwith all interlocutory applications particularly GA/2/2020 stand disposed of in so far as this Court is concerned.

Liberty is granted to the decree-holder to file an appropriate application before the District Judge, Jamshedpur, Jharkhand for execution of the decree.

(RAVI KRISHAN KAPUR, J.)