

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

EC/42/2017

KOTAK MAHINDRA BANK LTD.
VS
KESHAHA DAS & ANR.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 2nd February, 2024

Appearance:
Mr. Himanshu Bhawsinghka, Adv.

The Court:- This is an application for execution of an award dated 15 January, 2015. The award debtor had been directed to pay a sum of Rs.26,83,673/-. This proceeding was filed on 2017 and repeated orders have been passed from time to time including orders for issuance of warrant of arrest against the judgment debtors.

The Report filed by the Deputy Sheriff suggests that the judgment debtors are untraceable and no proper address has been forwarded to them. The award holder have been unable to ascertain the exact whereabouts of the judgment debtors and despite repeated opportunities has failed to give the exact particulars of the judgment debtors. In such circumstances, the pendency of this proceedings will not enure to the benefit of any of the parties.

EC/42/2017 stands dismissed.

All interim orders, if any, stand vacated.

The warrants of arrest stand discharged.

Liberty is granted to the award holder to file a fresh execution application after ascertaining the exact whereabouts of the judgment debtors.

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

(RAVI KRISHAN KAPUR, J.)

SK.